(16)

No. 01-1420

IN THE SUPREME COURT OF THE UNITED STATES

WASHINGTON STATE DEPARTMENT OF SOCIAL AND HEALTH SERVICES, ET AL.,

Petitioners,

v.

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED,

Respondents.

ON WRIT OF CERTIORARI TO THE SUPREME COURT OF WASHINGTON

JOINT APPENDIX – VOL. I OF II

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PETITION FOR WRIT OF CERTIORARI FILED MARCH 14, 2002
CERTIORARI GRANTED MAY 28, 2002

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RELEVANT DOCKET ENTRIES

April 18, 1996 Plaintiffs' Class Action Complaint for Disgorgement of Funds Wrongfully Collected and for Injunctive Relief filed in the Superior Court of the State of Washington in Okanogan County.

July 15, 1996 Defendants' Answer filed in Okanogan County Superior Court.

January 29, 1997 Plaintiffs' Motion for Class Action Certification filed in Okanogan County Superior Court.

February 3, 1997 Plaintiffs' Memorandum in Support of Motion for Class Certification filed in Okanogan County Superior Court.

March 3, 1997 Defendants' Motion to Dismiss for Failure to Join the Social Security Administration as a Necessary and Indispensable Party, and Memorandum in Support of Motion filed in Superior Court.

March 5, 1997 Plaintiffs' Reply Brief in Opposition to Plaintiffs' Motion to Dismiss.

March 28, 1997 Defendants' Amended Answer filed in Superior Court.

March 7, 1997 Defendant's Memorandum in Opposition to Class Action Certification filed in Superior Court.

May 19, 1997 Order Certifying Case to Proceed as a Class Action, Defining the Class, and Denying Defendants' Motion to Dismiss entered by Superior Court.

June 11, 1997 Plaintiffs' Motion for Summary Judgment filed in Superior Court.

July 28, 1997 Defendants' Motion for Summary Judgment and Opposition to Plaintiffs' Motion for Summary Judgment filed in Superior Court.

September 9, 1997 Plaintiffs' Reply Brief filed in Superior Court.

September 17, 1997 Plaintiffs' Motion to Amend Class and Plaintiffs' Motion to Add Additional Defendant filed in Superior Court.

September 18, 1997 Defendants' Response to Plaintiffs' Reply Brief filed in Superior Court.

October 1, 1997 Plaintiffs' Motion to Amend Complaint to Clarify Redress Sought by Plaintiffs filed with Superior Court.

October 17, 1997 Plaintiffs' First Amended Complaint filed with Superior Court.

October 29, 1997 Defendants' Motion to Strike Portions of Amended Complaint.

November 4, 1997 Defendants' Memorandum in Support of Motion for Summary Judgment filed in Superior Court.

November 7, 1997 Order Granting Amendment of Order Certifying Class Action entered by Superior Court.

November 7, 1997 Order Allowing Amended Complaint entered by Superior Court.

November 19, 1997 Plaintiffs' Reply Brief filed in Superior Court.

December 8, 1997 Defendants' Supplemental Memoran-dum in Support of its Motion for Summary Judgment filed in Superior Court.

December 9, 1997 Defendants' Motion to Dismiss filed in Superior Court.

December 12, 1997 Defendants' Memorandum in Support of its Motion to Dismiss filed in Superior Court.

December 16, 1997 Plaintiffs' Brief in Opposition to Defendants' Motion to Dismiss filed in Superior Court.

January 7, 1998 Oral Argument Presented on Motion to Strike Portions of Plaintiffs' First Amended Complaint; Motion to Dismiss; Motion to Strike Outline.

September 29, 1998 Memorandum Opinion in favor of Plaintiffs issued by Superior Court.

December 31, 1998 Defendants' Objection to Plaintiffs' Proposed Order filed in Superior Court.

January 4, 1999 Plaintiffs' Reply to Defendants' Objection to Proposed Order filed in Superior Court.

January 5, 1999 Order Granting Summary Judgment in Favor of Plaintiffs entered by Superior Court.

January 11, 1999 Defendants' Notice of Appeal to Washington State Appellate Court Division III filed in Superior Court.

January 22, 1999 Defendants' Motion to Stay Trial Court Order Pending Appeal filed with Court of Appeals.

January 26, 1999 Defendant's Response to Department's Motion to Stay filed in Court of Appeals.

February 5, 1999 Order of Certification to Washington Supreme Court entered by Court of Appeals.

March 8, 1999 Washington Supreme Court files Ruling Accepting Certification.

April 5, 1999 Washington Supreme Court enters Ruling Accelerating Review and Grants Partial Stay of Trial Court Order.

April 16, 1999 Defendants/Appellants Brief filed in Washington Supreme Court.

May 24, 1999 Plaintiffs'/Respondents' Brief filed in Washington Supreme Court.

May 25, 1999 Motion for Application to file Amicus Curiae Brief and Appear filed by the Commissioner of the Social Security Administration.

May 26, 1999 Order Granting Motion of Commissioner of the Social Security Administration to File Amicus Curiae Brief entered by the Washington Supreme Court.

May 26, 1999 Amicus Curiae Brief for Kenneth Apfel, Commissioner of the Social Security Administration filed in Washington Supreme Court.

June 4, 1999 Appellants' Reply Brief filed in Washington Supreme Court.

June 11, 1999 Respondents' Reply to Amicus Curiae Brief filed in Washington Supreme Court.

June 24, 1999 Oral Argument presented to Washington Supreme Court.

December 2, 1999 Order on Remand to Trial Court Entered by Washington Supreme Court for Additional Information and Findings of Fact.

January 10, 2000 Superior Court Enters Scheduling Order to Regarding Development of Additional Findings of Fact.

January 18, 2000 Defendants file Affidavits from Alan Rhoten; Linda Gil; Karen Kegley Justinen; Tamara Erickson, and the Declaration of Kevin Mccahill in Superior Court.

February 29, 2000 Superior Court Enters Order Directing Defendants to Produce Additional Documents.

March 31, 2000 Superior Court Enters Findings of Fact on Order of Remand from Supreme Court.

June 29, 2000 Defendants/Appellants File Motion to Set Briefing Schedule with Washington Supreme Court.

July 13, 2000 Washington Supreme Court enters Order Establishing Briefing Schedule.

August 21, 2000 Supplemental Brief for the Amicus Curiae Kenneth Apfel, Commissioner of the United States Social Security Administration filed in Washington Supreme Court.

September 5, 2000 Appellants' Supplemental Brief filed in Washington Supreme Court.

October 2, 2000 Plaintiffs'/Respondents' Supplemental Brief filed in Washington Supreme Court.

October 16, 2000 Appellants' Reply Brief filed in Washington Supreme Court.

November 8, 2000 Additional Oral Argument After Remand Presented to Washington Supreme Court.

October 11, 2001 Washington Supreme Court files its Decision Terminating Review.

October 31, 2001 Appellants file Motion for Reconsideration in Washington Supreme Court.

December 14, 2001 Order Denying Appellants' Motion for Reconsideration is entered by Washington Supreme Court. Washington Supreme Court Mandate issued.

January 22, 2002 Appellants' file Motion to Stay Pending review by the Supreme Court of the United States. Motion for Stay is denied by the Washington Supreme Court.

January 28, 2002 Appellants' Application to Recall and Stay Mandate of Washington Supreme Court submitted to Justice O'Connor.

January 29, 2002 Order Recalling and Staying Mandate of Washington Supreme Court pending receipt of response issued by Justice O'Connor.

February 5, 2002 Respondents' Response to Application to Recall and Stay Mandate in Supreme Court of the United States.

February 14, 2002 Appellants' Reply to Respondents' Opposition filed in Supreme Court of the United States.

February 15, 2002 The Solicitor General is invited by the United States Supreme Court to file a brief expressing the view of the United States.

March 1, 2002 Solicitor General files Response to Application for Recall and Stay of Mandate of the Washington Supreme Court in Supreme Court of the United States.

March 6, 2002 Respondents' Supplemental Brief in Opposition to Application to Recall and Stay of Mandate of Washington Supreme Court filed in Supreme Court of the United States.

March 13, 2002 Application to Recall and Stay of Mandate of Washington Supreme Court referred to the Court by Justice O'Connor and Granted by Supreme Court of the United States.

(ORDER LIST: 535 U.S.)

WEDNESDAY, MARCH 13, 2002

ORDER IN PENDING CASE

01A557 WASHINGTON DEPARTMENT OF SOCIAL & HEALTH SERVICES, ET AL., V. GUARDIANSHIP ESTATE OF DANNY KEFFELER, ET AL.,

The application for stay presented to Justice O'Connor and by her referred to the Court is granted and it is ordered that the stay granted by Justice O'Connor on January 29, 2002 shall continue and the mandate of the Supreme Court of Washington, case No. 67680-1, issued on December 14, 2001, is stayed pending the timely filing and disposition of the petition for a writ of certiorari. Should the petition for a writ of certiorari be denied, this stay shall terminate automatically. In the event the petition for a writ of certiorari is granted, the stay shall terminate upon the issuance of the mandate of this Court.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF OKANOGAN

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED, Plaintiff, vs. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL and HEALTH SERVICES and DEPARTMENT OF LICENSING, Defendant.	No. 96-2-00157-2 CLASS ACTION COMPLAINT FOR DISGORGEMENT OF FUNDS WRONGFULLY COLLECTED AND FOR INJUNCTIVE RELIEF

COMES NOW the above named Estate of Danny Keffeler, by and through its Guardian Wanda Pierce, acting through their co-counsel Rodney Reinbold, of REINBOLD and GARDNER, P.O. Box 751, Okanogan, Washington 98840 and Richard B. Price of RICHARD B. PRICE, P.S., INC., P.O. Box 1687, Omak, Washington 98841, on their own behalf and on the behalf of all other persons similarly situated, and for cause of action against the Defendant, State of Washington asserts and alleges as follows:

I.

JURISDICTION AND VENUE

1.1 Jurisdiction. Superior Courts are invested with authority to resolve claims for injunctive relief.

1.2 Venue. The Plaintiffs are residents of the County of Okanogan, State of Washington such that venue in the above-entitled Court is proper.

II.

PARTIES

2.1 Plaintiff Representative Guardianship Estate. Daniel Mark Keffeler was born July 24, 1978. His social security number is 535-92-6777. Danny Keffeler's mother was Mary Lou Pierce, who died September 28, 1990 in an automobile accident. Daniel Mark Keffeler was declared a dependent of the State of Washington by the Okanogan County Superior Court on February 6, 1991, Cause No. 91-7-000609. On December 18, 1990 an order was entered appointing Wanda Pierce, who is Danny Keffeler's grandmother, to be the Guardian of the Estate of Danny Keffeler in Okanogan County Superior Court Cause No. 90-4-00088-4. Wanda Pierce has since served as Danny Keffeler's guardian and brings this action against the State of Washington on his behalf individually and on behalf of all other persons similarly situated.

2.2. Plaintiff Putative Class Members. The members of the Plaintiff Class include all children in the State of Washington receiving social security benefits, whose benefits were or continue to

be appropriated by the State to offset expenses for the child's care.

2.3 Defendant State of Washington. The State of Washington Federal Revenue Unit for the Division of Children and Family Services, a division of the Department of Social and Health Services, and the Washington State Department of Licensing are the Defendants, as to the claims hereinafter recited, and subject to the jurisdiction of the above entitled court.

III.

PROPERTY OF CLASS ACTION PROSECUTION

3.1 Class Action Prerequisite Compliance – CR 23(a). This is a class action seeking equitable relief, including injunctive relief, and ancillary monetary relief and reimbursement to those putative class members who have suffered wrongful appropriation of protected Federal monetary benefits set forth above. Accordingly, Plaintiff seeks on behalf of her ward and on behalf of others similarly situated, an (1) injunction enjoining the State of Washington from charging and collecting monies from the Plaintiffs federally protected social security benefits; (2) creation of a fund to reimburse class members for all funds wrongfully collected; (3) and for costs and reasonable attorneys' fees.

3.2 Impracticality of Joining All Members of the Class as Parties Due to the Size of the Class – CR 23(a) (1). The exact number of persons similarly situated to Plaintiffs are now unknown but presumably believed to be in the

hundreds or thousands. The exact number of persons may be identified from Defendants' records, and such persons can be identified with particularity through appropriate judicial discovery procedures, such that it would be possible to give such persons and/or entities actual notice of these proceedings if required. The class, as denominated in this Complaint, satisfies Civil Rule 23(a) (1) requiring that the number of putative class members be such that it renders joinder impractical.

3.3 Existence of Questions of Law and Fact to the Class – CR 23(a) (2). There exist questions of law and fact, common to the Plaintiffs' claim and the claims of the putative class members. The factual and legal issues connected with the claims for class relief all relate to the conduct of the Defendant, State of Washington.

3.4 Questions of law and fact common to Plaintiffs and all members of the putative class include, but are not limited to:

A. Whether Defendant's practice of billing and collecting monies from the Plaintiffs federally protected Social Security benefits to offset costs which the State is required by law to pay violate the Plaintiffs civil rights, constitutional rights, statutory protection and is wrongful of common law;

B. Whether Defendant's acts alleged in this Complaint are the proper subject for injunctive relief.

3.4 Claims of the Representative Parties are Typical of Claims of the Class – CR 23(a) (3). The claims of the representative are similar to all other putative class members in that the Plaintiff

has been wrongfully charged and deprived of property in violation of the law the same as or similar to all other putative Plaintiffs. The representatives of the class will continue to be subjected to unlawful charges and deprivation of property without redress.

3.5 Plaintiffs' action for class relief does not raise antagonistic interests among putative class members, as all the major issues are common to all class members and all class members have an interest in obtaining the same relief. The obtaining of relief by one class member will not unreasonably detract from or jeopardize other class members' interests.

3.6 The issue whether Defendant has the legal right to invade Plaintiffs federally protected Social Security benefits is not only typical but identical for the class representative and the putative class members alike. As such, Civil Rule 23 (a) (3) is satisfied.

3.7 Adequate Representative – Civil Rule 23(a) (4). The Plaintiff representative comes before this Court in the same capacity as any other litigant seeking redress without regard to their race, religion or financial status. The adequacy of Plaintiff's representation depends upon the capacity of their legal counsel to adequately prosecute the case. Plaintiffs' counsel are experienced trial attorneys, one of whom has considerable experience in class action litigation, having successfully prosecuted numerous class action cases. Plaintiffs' counsel have the necessary skills, expertise and competency to adequately represent the Plaintiffs' interest and

those of the class. The Plaintiff representative is ready and willing to bring this action in a representative capacity on behalf of and for the protection of the putative class.

3.8 Class Action Maintenance Pursuant to CR 23 (b). The Plaintiffs' claims satisfy the conditions of Civil Rule 23 (b) (1), (2) and (3).

A. CR 23 (b) (1) (A) and (B). The prosecution of separate actions by individual members of the class would create a risk of inconsistent or varying adjudications which would establish incompatible standards of conduct for the Defendant and would also create the risk of adjudication with respect to individual members of the class, which would, as a practical matter, be dispositive of the interests of other parties not parties to the adjudication.

B. CR 23 (b) (2). The Defendant has acted on grounds generally applicable to all putative class members, making final injunctive relief appropriate with respect to the class as a whole. Specifically, the Defendant has acted on grounds generally applicable to the class by imposing and implementing a uniform policy of charging and collecting monies from minor Social Security recipients to offset the costs of their care for which the State is legally obligated to pay without wrongfully appropriating federally protected benefit payments. Defendant's uniform conduct has and will continue to, unless abated, affect every putative class member alike, thereby making appropriate final mandatory injunctive relief pursuant to Civil Rule 23 (b) (2).

C. CR 23 (b) (3). Alternatively, the resolution of the limited legal and factual questions pertaining to the putative class members predominates over any questions affecting only individual members, such that the prosecution as a class action is superior to other available methods for the fair and efficient adjudication of this controversy. In this regard, there should be little, if any, interest in individual members of the class controlling the prosecution of a separate action for this relief, since the relief sought is to (1) require reimbursement for wrongful appropriation of federally protected social security benefits; and (2) enjoin future wrongful conduct; and (3) eliminate the practice of wrongful charges. This action is a superior method in preventing future economic and pecuniary loss to hundreds and possibly thousands of Washington minor citizens. The class will benefit from redress from the ongoing action, which if left to hundreds of individual actions could greatly congest the Superior Courts of this State. Any difficulties which may be encountered in this action will be slight compared to the impracticality of having several hundred individual members of the putative class bringing individual actions and thereby unnecessarily burden the courts throughout the State of Washington. This class litigation is a fair, efficient and expeditious vehicle for providing redress to both unnamed and named Plaintiffs and to as yet unidentified class members. This action is superior to any other available method for the fair and efficient adjudication of controversy. The conditions of Civil Rules 23 (b) (3) are satisfied.

IV.

GRAVAMEN OF PLAINTIFFS COMPLAINT

4.1 Danny Keffeler's Mother, Mary Lou Pierce, was killed in an automobile accident on September 28, 1990. She was survived by her son Danny Keffeler who qualified for child's benefits pursuant to Mary Lou Pierce's Social Security account. This benefit was an earned benefit and not a benefit under the Social Security Insurance program.

4.2 The Social Security Administration appointed Danny Keffeler's grandmother, Wanda Pierce, who was serving as guardian of his estate as representative payee, to receive and disburse his social security check.

4.3 Following the death of Mary Lou Pierce, Danny Keffeler was placed in foster care, which care was financed by the Washington State Department of Social and Health Services.

4.4 Pursuant to a uniform policy adopted and employed by the State of Washington, which policy is applied to all foster care children who receive Social Security benefits under like circumstances, the State of Washington applied to the Social Security Administration to become the protective payee for Danny Keffeler.

4.5 On April 20, 1991 the Social Security Administration made a determination to appoint the State of Washington Department of Social and Health Services (DSHS) Trust Fund Unit to become the representative payee for Danny Keffeler.

4.6 As a result of the State's being appointed, it commenced receiving Danny Keffeler's Social Security benefit payments from which it paid itself a generous part of the benefits allegedly as remuneration for acting as protective payee.

4.7 From August 20, 1991 until July 16, 1993 the State of Washington did not remit any money whatever to Danny Keffeler, and, instead, paid his social security benefits to itself, pursuant to its uniform policy, to mitigate the cost of the foster care it was legally required to provide.

4.8 As a result of the State's action and uniform policy, Plaintiff was wrongfully deprived of federal benefits protected by law, 42 USC 407, from appropriation by the State or otherwise, in violation of the *U.S. Constition, art. 6.* This deprivation was imposed upon his estate by the State of Washington which was recklessly indifferent to the law.

4.9 On April 26, 1991, Rodney M. Reinbold, acting as the attorney for Wanda Pierce, Guardian for the Danny Keffeler Estate, objected to the State's unauthorized payments to itself. This objection ripened into an appeal to the Social Security Administration Office of Hearings and Appeals.

4.10 On July 16, 1993 Administrative Law Judge John R. Hood reinstated Wanda Pierce as the representative payee for said Plaintiff.

4.11 The State of Washington has pursued and continues to pursue a relentless campaign to obtain Danny Keffeler's Social Security benefits in violation of the federal law protecting said benefits.

4.12 In pursuit of the State's wrongful campaign, the State of Washington:

A. Filed a motion for order to show cause in Okanogan County Superior Court Cause No. 90-4-00088-4 seeking:

(1) To remove Wanda Pierce as Danny Keffeler's guardian because she refused to turn over Danny Keffeler's protected social security benefits to the State of Washington; and

(2) For an order requiring the Guardian to give over Danny Keffeler's Social Security payments to its Trust Unit; and

(3) That the State's Trust Unit be substituted as Guardian for Danny Keffeler so that the money could be appropriated by the State of Washington.

B. Improperly filed a claim in the Danny Keffeler estate for the purpose of requiring the Estate to pay for Danny Keffeler's support from his Social Security benefits, in direct derogation of the Federal Law as codified in 42 USC 407 and as interpreted by the United States Supreme Court in *Philpott v. Essix County Board*, 409 US 413, 34 L. ED. 2d 608, 93 S. Ct. 590 (1972); *Bennett v. Arkansas*, 485 US 395, 99 L. Ed. 2d 455, 108s ct 1204 (1988); Brinkman v. Rahm, 878 F.2d 263 (1989).

C. At some time before March 12, 1994 the State filed a further application to become the protective payee for Danny Keffeler, which application was granted on March 12, 1994. After that date no further money was received by Danny

Keffeler from his mother's social security benefits until after his further successful appeal.

D. Without notice to the Guardian, or her attorney, or to any other person, the State of Washington filed a Notice of Appeal to the Appeals Council, Office of Hearings and Appeals in Falls Church, Virginia, which ex parte action resulted in a remand of the entire Social Security case back to the Office of Hearings and Appeals in Spokane, Washington.

E. On remand Administrative Law Judge Lloyd Tunik, again determined that Danny Keffeler's grandmother should be the protective payee for Danny Keffeler.

F. As part of the remand hearing Danny Keffeler's attorney was authorized to charge $5,490 in connection with this end run attempt by the State legal proceedings.

G. The State of Washington has now appealed Judge Tunik's decision to the Appeals Council in Arlington, Virginia.

V.

CAUSES OF ACTION

5.1 The State of Washington, acting under color of State law, through its policy recited above, has and continues to act irrationally, invidiously and arbitrarily and capriciously, thereby violating the civil rights of the Plaintiffs, and of all other persons (foster children) similarly situated, contrary to the Civil Rights Act, 42 USC 1983. (*Robinson v. Seattle*, 119 Wn 2d 34 (1994).

5.2 The State of Washington has acted and continues to act to the deprivation of Danny Keffeler, and all other class members, without due process of law in violation of the United State's Constitution Amendment XIV and Washington State's Constitution.

5.3 The State of Washington discriminates against Plaintiff and all other foster children who receive Social Security benefits by subjecting them to a lower standard of living than children who are not so situated.

5.4 The State of Washington maliciously, recklessly and wantonly is invading federally protected funds for its own improper advantage, to the detriment of Plaintiff and all other foster children's financial and emotional well-being.

VI.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays as follows:

6.1 For a permanent injunction enjoining the State of Washington from taking any further action whatsoever to invade the federally protected Social Security funds of the Plaintiff and children similarly situated; and

6.2 For a judgment against the State of Washington for establishment of a fund for the amount of all federally protected funds it has collected from Plaintiff and all other persons similarly situated, to be disbursed to Plaintiff class members as directed by the Court; and

6.3 For a judgment against the State of Washington for attorneys fees incurred to date of this pleading and all other attorney fees incurred in their effort to defend the Federally protected Social Security funds of Danny Keffeler and children similarly situated; and

6.4 For Plaintiff's attorney's fees and costs incurred in this action; and

6.5 For augmentation of a Lode Star attorney's fee pursuant to an appropriate multiplier; and

6.6 For such other and further relief as to the court shall seem just equitable and proper.

DATED this 18 day of April, 1995.

REINBOLD and GARDNER

By: //s//
Rodney Reinbold, WSBA# 4656
Co-Counsel for Plaintiffs

Richard B. Price, P.S., Inc.

By: //s//
Richard B. Price, WSBA #3203
Co-Counsel for Plaintiffs

The undersigned Wanda Pierce, Guardian for the Estate of Danny Keffeler, and Danny Keffeler have read the within and foregoing complaint and do

hereby declare they believe that the contents thereof to be true and correct.

//s//
Wanda Pierce, Guardian for
The Estate of Danny Keffeler

//s//
Danny Keffeler, a Minor Person

SUPERIOR COURT OF WASHINGTON
FOR OKANOGAN COUNTY

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED, Plaintiffs, v. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES AND DEPARTMENT OF LICENSING, Defendant.	No. 96-2-00157-2 ANSWER

Christine O. Gregoire, Attorney General, and Dawne C. Talbott-Lloyd, Assistant Attorney General, appear on behalf of defendant, State of Washington, Department of Social and Health Services, and answer plaintiffs' complaint as follows:

1.

Defendant is without knowledge or information sufficient to form a belief as to the truth of the allegations in paragraphs 1.2, 2.1, 2.2, 3.1, 3.2, 3.7, 4.1, 4.2, 4.9, and 4.12(F).

2.

Defendant admits paragraphs 1.1, 2.3, 4.3, 4.4, 4.5, 4.10, 4.12(E), 4.12(G).

3.

As to the allegations in paragraph 4.7, defendant, as designated representative payee for Danny Keffeler, received social security benefits from July 1991 through March 1993. The monies received were used toward the cost of Danny Keffeler's foster care to provide food, shelter and clothing.

As to the allegations in paragraph 4.12(A), defendant admits that it filed a motion for order to show cause in Okanogan County Superior Court.

As to the allegations in paragraph 4.12(C), defendant admits its application to become the protective payee for Danny Keffeler was granted on March 12, 1994.

As to the allegations in paragraph 4.12(D), defendant admits it filed a Notice of Appeal to the Appeals Council, Office of Hearings and Appeals in Falls Church, Virginia.

4.

Defendant denies paragraphs numbered 3.3, 3.4(A), 3.4(B), 3.4, 3.5, 3.6, 3.8(A), 3.8(B), 3.8(C), 4.6, 4.8, 4.11, 4.12(B), 5.1, 5.2, 5.3, 5.4.

5.

Defendant denies each and every allegation in plaintiffs' complaint not otherwise specifically admitted.

DATED this 10th day of July, 1996.

CHRISTINE O. GREGOIRE
Attorney General

//s//
DAWNE C. TALBOTT-LLOYD
Assistant Attorney General
WSBA No. 24790
Attorneys for State of Washington
Dept. of Social & Health Services

SUPERIOR COURT OF WASHINGTON
FOR OKANOGAN COUNTY

GUARDIANSHIP ESTATE OF DANIEL KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED, Plaintiff, v. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES AND DEPARTMENT OF LICENSING, Defendant.	No. 96-2-00157-2 AMENDED ANSWER OF DEPARTMENT OF SOCIAL AND HEALTH SERVICES

Christine O. Gregoire, Attorney General, and DEBRA E. CASPARIAN, Assistant Attorney General, appear on behalf of defendant, State of Washington, Department of Social and Health Services (Department), and pursuant to CR 15(a), amend their answer to plaintiff's complaint as follows:

IV.

GRAVAMEN OF PLAINTIFF'S COMPLAINT

4.3 The Department denies that Daniel Keffeler was placed in foster care after the death of

his mother, Mary Lou Pierce. Daniel Keffeler was voluntarily placed in foster care by his mother in 1988; Daniel Keffeler remained in foster care after his mother's death.

4.4 The Department denies the allegation contained therein that it applied to the Social Security Administration to become the protective payee for Daniel Keffeler.

4.12 The Department denies the allegations contained in paragraph 4.12(C) that the Department applied to become the protective payee for Daniel Keffeler at some time before March 12, 1994.

The Department denies each and every allegation in plaintiff's complaint not otherwise specifically admitted in previously filed Answer.

DATED this 5th day of March, 1997.

CHRISTINE O. GREGOIRE
Attorney General

/s/
DEBRA E. CASPARIAN
Assistant Attorney General
WSBA No. 26354
Attorneys for State of Washington
Dept. of Social & Health Services

SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF OKANOGAN

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED, Plaintiff, vs. STATE OF WASHINGTON DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Defendant.	No. 96-2-00157-2 DECLARATION OF FACTS IN SUPPORT OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

RODNEY REINBOLD, makes the following declaration in support of Plaintiff's Motion for Summary judgment.

The Notebook, attached, contains the various documents I have collected which are of significance to this matter. Because this case has the potential of generating numerous pleadings containing duplicate exhibits, it is respectfully suggested that we agree to number exhibits sequentially with Plaintiff reserving numbers 1 through 50 and Defendants having numbers 50 – 100. It is hoped that defendants will make reference to the documents contained in the notebook and will not duplicate and renumber the exhibits.

THE HISTORY OF DANNY KEFFELER'S CASE

Danny Keffeler was born on July 24, 1978. Danny Keffeler, Christopher Keffeler, and Sarah Keffeler became entitled to receive Title II Social Security Benefits when their mother, Mary Lou Pierce, died in an automobile accident on September 28, 1990.

Danny Keffeler became a dependent of the State of Washington in February of 1991, Okanogan County Superior Court Cause No. 91-7-0006-9. Danny has continuously lived in foster homes ever since.

On November 13, 1990, Danny Keffeler's maternal grandmother, Wanda Pierce, petitioned to be appointed guardian of Danny Keffeler's estate, Okanogan County Superior Court Cause No. 90-4-00088-4. Wanda Pierce was so appointed on December 19, 1990, Exhibit 25[1], Doc. 12.[2] On or about April 20, 1991, Wanda Pierce received notice from the Social Security Administration that it planned to make the State of Washington DSHS Trust Fund Unit the protective payee to receive Danny Keffeler's monthly Social Security checks. Exhibit 1. On April 26, 1991, Mr. Reinbold objected to this plan stating:

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[1] Exhibit 25 is the entire file for Guardianship, Okanogan County Superior Court No. 90-4-00088-4. The index precedes the file.

[2] The various documents which are a part of the Guardianship case are referenced by their Docket Numbers assigned by the Clerk of the Court. See the index at the front of Exhibit 23 which is an index of the docket numbers.

> "On behalf of Wanda Pierce, who is now protective payee and on behalf of the Keffeler Guardianship, we do hereby object to the deposit of these funds into the DSHS Trust Fund Unit. Such a deposit is unnecessary. The guardianship is now being administered by the Superior Court of Okanogan County. If the Social Security Administration or anyone has an objection to the manner in which the funds are being paid or retained, they have the legal right to make objections in the guardianship proceeding. We are presently retaining the checks for both Dan and Sarah."

Exhibit 2.

On July 17, 1991, the Social Security Administration notified Mr. Reinbold that it was naming DSHS Trust Fund Unit as Representative Payee. Exhibit 6.

On August 22, 1991, Mr. Reinbold received a formal notice from the Social Security Administration that Mrs. Pierce should give up the money in the Guardianship account to the Social Security Administration. Exhibit 7.

Wanda Pierce appealed the determination to appoint the Trust Fund Unit to the Office of Hearings and Appeals, where the matter was heard by Administrative Law Judge John R. Hood on October 19, 1992. Judge Hood asked for additional briefing which was furnished on December 7, 1992. Exhibit 8. In that brief the children argued that

since the Guardianship account was supervised by the Superior Court Judge, that the State of Washington could make its claim for any support it was legally entitled to receive in the Guardianship proceeding. This solution was not acceptable to the State because there is no obligation on the part of a child to pay for his own support from Social Security benefits.

Beginning in July of 1991, the DSHS Trust Fund Unit started to receive Danny Keffeler's Social Security Benefits and received the benefits through March of 1993. (See DSHS Memorandum of Authorities re: Show Cause filed in the Guardianship File, Exhibit 15, Docket No. 30, p. 2) The accounting attached to the State's memorandum shows that the DSHS Trust Fund Unit paid to itself the sum of $4,998 as "reimbursement to DSHS for foster care" during this period of time.

On January 16, 1993, Judge Hood reinstated Wanda Pierce as protective payee. Exhibit 9.

Mrs. Pierce received Danny Keffeler's Social Security checks from April of 1993 until March 2, 1994.

On February 9, 1994, the State of Washington filed a creditor's claim in the Guardianship Estate, Okanogan County Superior Court Cause No. 90-4-00088-4. Exhibit 23. Docket No. 23.

Also on February 9, 1994, the State of Washington filed a Motion for an Order to Show Cause as to why:

1. The limited guardianship should not be modified to assign checks to the DSHS trust unit;

2. The Maternal Grandmother should not be removed as guardian of the estate; and

3. The Maternal Grandmother should not be required to pay all Social Security funds to the Trust Fund Unit. Docket No. 21-30.

The Guardianship Estate filed a Responsive Brief, Docket No. 31, and notified Judge Edwards, by letter, of the United States Supreme Court decision forbidding diversion of the children's Social Security checks to reimburse the State for welfare it had advance. *Philpott v. Essex County Welfare Board*, 34 L. Ed. 608. Exhibit 26. The State then abandoned its action in the Superior Court, at least temporarily.

Somehow, the State of Washington was able to persuade the Appeals Council, Office of Hearings and Appeals at Falls Church, VA 22041 to reverse Judge Hood's Decision and remand the matter back to the Administrative Law Judge for reconsideration. The State of Washington Department of Social and Health Services mailed a letter to the Appeals Council asking for a review, based upon DSHS's reading of the appeal statute which it claimed prevented the Office of Hearings and Appeals from reversing an administrative decision, to appoint the State as protective payee. Exhibit 19.

However, the ex parte letter of June 14, 1994 to the Appeals Council does not explain the Council's action since the Appeals Council remand predated and DSHS letter (compare Exhibit 15, Notice of Order of Appeals Council remanding decision to Administrative Law Judge, dated June 6, 1994, to Exhibit 19, the letter from DSHS dated June 14, 1994).

The children filed a Motion for Reconsideration through their grandmother pointing out that the Appeals Council decision was made without notice to them and further argued that the Sate of Washington was not in any way prejudiced because it had already filed a claim in the guardianship estate which was under consideration. Exhibit 16.

In a responsive letter to the Administrative Law Judge, the Exhibit 19, DSHS explained how the appeal came before the Appeals Council claiming:

> "The Social Security Administration indicated that DSHS is the preferred representative payee under their rules, but that they could not overrule a decision by an Administrative Law Judge, even in the light of new facts. DSHS asked that this decision be reconsidered. The reconsideration request was forwarded to the payment center for guidance. The payment center forwarded the Request for Reconsideration to the Appeals Council."

Exhibit 19 letter from Michael Hobbs, DSHS Regional Program Director.

The remand, ordered by the Appeal Council was referred to Administrative Law Judge Lloyd Tunik.

Judge Tunik defined the issues under consideration in a letter dated May 3, 1995. Exhibit 24. Judge Tunik wrote:

> "As to the first general issue (whether the Administration correctly removed the claimant's representative payee, Wanda B. Pierce) it is now established that the Administration's determination was based upon a finding that Wanda B. Pierce was not spending any of the claimant's monthly benefits for the current care of the claimant but saving it for future use for the claimant or delivery to the claimant. On review of the current record, including Exhibit 4, I am unable to identify what facts or events caused the Social Security Administration to make this finding or what specific guideline was breached by Wanda B. Pierce. Specifically, what did Wanda B. Pierce refuse to do (by way of spending any of the claimant's monthly benefits) for the current care of the claimant and how did that action constitute a failure to comply with what specific guideline under Subpart U?
>
> As to all other existing issues or proposed issues, this is the time to state such and to give a description of the facts you believe relevant or material to each such issue."

On May 24, 1995, Administrative Law Judge Tunic again wrote and enclosed a copy of the response from DSHS dated May 9, 1995, wherein Michael R. Hobbs wrote:

> "Please consider this letter and the enclosed materials in answer to your

letter of May 3, 1995. May I suggest that the event that caused the Social Security Administration to determine that Wanda B. Pierce was not spending any of the claimant's monthly benefits for the current care of the claimant was the assertion by an employee of DSHS that the claimant's current needs were being met by foster care payments. This assertion may have been made by inference as it is a routine matter of DSHS to apply for Social Security Benefits with children who are in foster care and the Social Security Claims Representative was probably familiar with the names of the employee of DHSS."

"I have enclosed 10 pages of printed materials to support the allegation that the claim of "current maintenance" has been met by foster care payments from 6/1/91 to the present. The first two pages of materials are the description of foster care payments made using Service Code 3210. The description, under the heading Program: Child Foster Family Care, clearly includes maintenance defined by Subpart U of 20 CFR 404.2040(a). The next 8 pages make up the record payment made on Daniel's behalf to various providers. You will find that a Service Code 3210 payment has been made for every month since 6/1/95. To my knowledge, Wanda Pierce has made no contribution

towards the claimant's maintenance from the Social Security Benefits she has received."

On March 3, 1995, Rodney Reinbold submitted a brief to Judge Tunik contending, among other things, that Wanda Pierce was not required to reimburse the State of Washington for the cost of foster care under the doctrine of *Philpott v. Essex County Welfare Board*, supra. Exhibit 32, p. 17-18.

On June 21, 1995, Judge Tunik reinstated Wanda Pierce as protective payee for Danny Keffeler. Exhibit 21.

As to the question of whether Wanda Pierce was required by the guidelines to reimburse the costs of Foster Care, Judge Tunik ruled:

"Wanda Pierce did not spend any of the claimant's benefits by payments to DSHS Trust Fund Unit toward deferring the cost of foster care for the claimant. The guidelines can be found to require spending if the claimant has current maintenance needs that are not otherwise met or if the claimant is indebted for his current maintenance (cost incurred in obtaining food, shelter, clothing, medical care and personal comfort items) and the representative payee is presented with a claim. There is no evidence that the claimant's current maintenance needs are not being met, that the claimant has been indebted for maintenance to DSHS Trust fund Unit or anyone else or that

any claim has been presented to Wanda Pierce."

On August 2, 1995, Michael Hobbs of DSHS filed another appeal to the Appeals Council, in Falls Church VA. In this appeal, it was claimed that the Office of Hearings and Appeals and the Appeals Council did not have jurisdiction to change the representative payee since this was an administrative decision. Exhibit 25.

This appeal has since been abandoned by the Department.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct.

Signed at Okanogan, WA on June 9, 1997.

/s/
RODNEY REINBOLD, WSBA #4656
Attorney for Plaintiff

Exhibit 1 – Page 1 of 2

DEPARTMENT OF HEALTH AND HUMAN SERVICES
Social Security Administration

P.O. Box 1488
501 Yakima Ave.
Wenatchee, WA 98807
April 8, 1991
NOTICE OF PLANNED ACTION
Phone: 1 800 284 5772
Rec'd 4/25/91
from Wanda

MS. WANDA PIERCE
PO BOX 122
OMAK, WA 98841

Dear MS. PIERCE:

We are writing to let you know that we plan to make DSHS TRUST FUND UNIT the representative payee for DAN KEFFLER. This means that DSHS TRUST FUND UNIT would get MR. KEFFLER'S Social Security checks each month and use this money for MR. KEFFLER'S needs. The facts we have show that this would be best for MR. KEFFLER.

If You Disagree

If you think that we should pay MR. KEFFLER'S checks to someone else, you should let us know right away. You have 10 days from the date of this letter to do this.

Exhibit 1 – Page 2 of 2

If We Do Not Hear From You

If we do not hear from you in the next 10 days, we will send MR. KEFFLER'S checks to DSHS TRUST FUND UNIT.

If You Have Any Questions

If you have any questions, you should call, write or visit any Social Security Office. If you call or visit our office, please have this letter with you and ask for MRS. ENGLAND. The telephone number is 1 509 662 1733. We can answer most questions over the phone.

//s//

CLAIMS REPRESENTATIVE

CE

Exhibit 7 – Page 1 of 4

Social Security Administration
Retirement, Survivors and Disability Insurance
Important Information

Western Program Service Center
1221 Nevin Avenue
P.O. Box 2000
Richmond, California 94802
Date: August 20 1991
Claim Number: 538-58-5094C1

WANDA B PIERCE
FOR DAN M KEFFELER
RT 1 BOX 128C
OMAK WA 98841

We have decided that it would be best for DAN M PIERCE to have his checks sent to another payee.

If You Saved Any Money

While you were DAN M PIERCE'S payee, you may have saved some money for him. If you have, you should return it to us unless you have already made other plans with us for handling it. The money you will need to return includes:

- Saved and invested benefits.
- Interest earned from these savings and investments.
- Money you have left over from any checks we sent you.

- Any checks you might receive after the date of this letter.

How To Pay Us Back

To do this, you can write us a check or money order. Make it out to the Social Security Administration. Be sure to write "Conserved Funds for DAN M PIERCE, 538-58-5094C1" on that check or money order. Please mail it in the enclosed envelope.

What You Need To Do

As soon as possible, you should send us a final report of how you used the benefits you received. Please use the enclosed "Representative Payee Report" to do this. It tells you the period of time for which you have to report.

Enclosure(s):
SSA-623-F3
Return Envelope

R See Next Page

Do You Think We Are Wrong?

If you think we are wrong, you have the right to appeal. We will correct any mistakes and we will look at any new facts you have. A person who did not make the first decision will decide MR. PIERCE'S case.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter.
- You must have a good reason if you wait more than 60 days to ask for an appeal.

If You Want Help With Your Appeal

You can have a friend, lawyer or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. Your local Social Security office has a list of groups that can help you with your appeal.

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it. And if you hire a lawyer, we will withhold up to 25 percent of any past due benefits to pay toward the fee.

If You Have Any Questions

If you have any questions, call us toll free at 1-800-234-5772. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves you area is located at:

DISTRICT OFFICE
ROOM G30
301 YAKIMA STREET
WENATCHEE, WA 98801

Exhibit 7 – Page 4 of 4

If you do call or visit an office, please have this letter with you. It will help us answer your questions.

//s//
F. J. Hagel
Assistant Regional Commissioner,
Processing Center Operations

Exhibit 9 – Page 1 of 4

DEPARTMENT OF
HEALTH AND HUMAN SERVICES
Social Security Administration
OFFICE OF HEARINGS AND APPEALS

DECISION

IN THE CASE OF	CLAIM FOR
Wanda B Pierce OBO	Retirement and Survivors Insurance
Sarah L Keffeler (Claimant)	(Representative Payee Issue)
Mary Lou Pierce (Deceased) (Wage Earner)	538-58-5094 (Social Security Number)

This case is before the undersigned Administrative Law Judge on Request for Hearing filed on September 5, 1991. After due notice, the claimant appeared and testified at a hearing that was held on October 19, 1992. The undersigned has carefully considered all the documents identified in the record as exhibits, the testimony at the hearing and arguments presented.

The evidence of record shows that the wage earner, Mary Lou Pierce, died as a result of an automobile accident on September 28, 1990. She left as survivors Richard Keffeler, Chris Keffeler, Sarah Keffeler and Dan Keffeler. Benefit payments due to the survivors were paid to Wanda B. Pierce, the survivor's grandmother, from September 28, 1990,

until April 25, 1991. At that time, a representative of the Washington State Department of Health and Human Services who also represents the Social Security Administration advised the claimant that the future Social Security checks would be paid to the Department of Social and Health Services Trust Fund Unit. See Notice of Planned Action contained in Exhibit 4.

The claimant appeals the proposed change of representative payee. The issue before the undersigned Administrative Law Judge is whether a new representative payee should be selected under 20 CFR 404.2050.

20 CFR 401.2050 contains guidelines on when a new representative payee will be selected. The regulation provides that a new representative payee will be selected when the interests of the beneficiary(s) are not being served by continuing payment to the present payee is no longer able to carry out the payee responsibilities. The rest of the regulation concerns the guidelines used for the appointment of a preferred payee.

In this case the current payee is able to continue as representative payee and wishes to do so. Accordingly, it must be shown that the interests of the beneficiary are not being served by the present payee or claimant, Wanda B. Pierce, before cause exists to change the representative payee.

The facts demonstrate that the claimant, Wanda B. Pierce, the children's grandmother, has been

appointed guardian of the children's estate pursuant to an action filed in the Superior Court of Okanogan County for the State of Washington. See Exhibit 18 showing that the claimant was appointed guardian of the children's estate on December 18, 1990. The undersigned has carefully reviewed the documents concerning the guardianship and is satisfied that the document comports with current Washington State Law.

Apparently the guardian is justifiably concerned as to how the Social Security payments will be used by the state. She is particularly concerned about whether or not any excess monies will be properly conserved for the children until they reach the age of majority.

It is of note that the State of Washington had knowledge of the Petition for Appointment of Guardian and was involved with the proceedings. Objections could have been made at that time if the State felt that the claimant, Wanda B. Pierce, was not a proper person to be appointed as guardian of the children's estates.

Apparently from the record there has been some problem with payment of the State for foster care for the children involved. It is of note that, when the guardianship ends, the Judge of Okanogan County would, in essence, supervise the distribution of the estate.

If child support was not paid out of the children's assets, the State could request payment through the Superior Court Judge.

Exhibit 9 – Page 4 of 4

After carefully reviewing the evidence of record, the undersigned finds that cause does not exist, from the record as constituted to justify the appointment of a new representative payee. Accordingly the claimant Wanda B. Pierce, shall remain as guardian of the children's estate and the representative payee for Social Security purposes.

FINDINGS

After careful consideration of the entire record, the Administrative Law Judge makes the following finding:

Cause does not exist to appoint a new representative payee in this case under 20 CFR 404.2050 as discussed above.

DECISION

It is the decision of the Administrative Law Judge that cause has not been shown for a change of representative payee on behalf of the beneficiary pursuant to 20 CFR 404.2050. Wanda B. Price, the beneficiaries' grandmother, will continue to be the representative payee for Social Security benefits.

//s//
JOHN R. HOOD
Administrative Law Judge

January 16, 1993
Date

Exhibit 12 – Page 1 of 3

Social Security Administration
Retirement, Survivors and Disability Insurance
Notice of Change in Benefits

Western Program Service Center
P.O. Box 2000
Richmond, California 94802-1000
Date: MARCH 18, 1994
Claim Number: 538-58-5094C1

WANDA PIERCE FOR DAN M
KEFFELER
BX 122
OMAK WA 98841-0122

We are writing to let you know we are stopping DAN M KEFFELER'S Social Security benefits. The last payment he will receive is the payment made about March 2, 1994.

Why We Cannot Pay MR. KEFFELER

We cannot pay benefits while we check to see who is the best person to receive MR. KEFFELER'S checks and use them for his needs. Until we decide who should receive these checks, we will not send his checks to you.

When we make a decision, we will write you another letter to tell you about it.

Exhibit 12 – Page 2 of 3

Do you Think We Are Wrong?

If you think we are wrong, you have the right to appeal. We will correct any mistakes and we will look at any new facts you have. A person who did not make the first decision will decide MR. KEFFELER'S case.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you receive this letter.
- You must have a good reason if you wait more than 60 days to ask for an appeal.

If You Want Help With Your Appeal

You can have a friend, lawyer or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. Your local Social Security office has a list of groups that can help you with your appeal.

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it. And if you hire a lawyer, we will withhold up to 25 percent of any past due benefits to pay toward the fee.

See Next Page

Exhibit 12 – Page 3 of 3

538-58-5094C1 Page 2 of 2

If you Have Any Questions

If you have any questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-509-662-1376. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves your area is located at:

DISTRICT OFFICE
ROOM G30
301 YAKIMA STREET
WENATCHEE, WA 98801

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

/s/
F. J. Hagel
Assistant Regional Commissioner,
Processing Center Operations

EXHIBIT 15 – Page 1 of 6

AC ORDER: REVIEW LEVEL

DEPARTMENT OF HEALTH AND HUMAN SERVICES
SOCIAL SECURITY ADMINISTTATION
OFFICE OF HEARINGS AND APPEALS

ORDER OF APPEALS COUNCIL

REMANDING CASE TO AN ADMINISTRATIVE LAW JUDGE

In the case of	Claim for
Wanda Pierce for Daniel M. Keffeler (Claimant)	Child's Insurance Benefits
Mary Lou Pierce, Deceased (Wage Earner) (Leave blank if same as above)	538-58-5094 (Social Security Number)

Secretary, Department of Social and Human Services,

State of Washington

Interested Party

This case is before the Appeals Council on the request for review filed by the Secretary, Department of Social and Human Services, State of Washington, of the Administrative Law Judge's decision issued on January 16, 1993 with respect to Daniel Keffeler. The request for review was not filed

EXHIBIT 15 – Page 2 of 6

within the prescribed time limit (20 CFR 404.968) but the Appeals Council finds that good cause is shown for the late filing inasmuch as the interested party, the State applicant, was not provided with notice.

In separate decisions issued with respect to Sarah and Daniel Keffeler, sister and brother and children of the deceased wage earner, the Administrative Law Judge found that Wanda Pierce, the children's maternal grandmother, was appointed guardian of their estate pursuant to an action filed in the Superior Court of Okanogan County for the State of Washington on December 18, 1990 and that good cause does not exist for the removal of Wanda Pierce as their representative payee and for the appointment of a new representative payee. Inasmuch as Sarah Keffeler has attained age 18 and has been made her own representative payee, the question of who should act as her representative payee is moot and the Appeals Council in a separate action dismissed a request for review filed by the Secretary, Department of Social Services of the State of Washington, with respect to her.

The hearing tape of the proceedings conducted on October 19, 1992 has been certified as lost; therefore, the record is incomplete. Accordingly, the Appeals Council vacates the hearing decision and remands the case to an Administrative Law Judge to conduct a de novo hearing on the issue of whether the Secretary of Social and Human Services of the State of Washington is the preferred representative payee for Daniel Keffeler. The state of Washington

through its DSHS Trust Fund Unit was appointed by the Social Security Administration as the representative payee of Daniel Keffeler effective August 1991 to use the child's insurance benefits for his current maintenance and to conserve any funds over and above those used each month for his needs. Before the above issue can be decided, however, the Administrative Law Judge will consider and decide whether the claimant, Wanda Pierce, had a standing to file a request for hearing after the Social Security Administration declined to act favorably on her protest to its notice of April 20, 1991 that the child's insurance benefits to which Daniel Keffeler, born July 24, 1978, was entitled would now be paid to the State of Washington, DSHS Trust Fund Unit. This depends on whether Wanda Pierce is the guardian of Daniel Keffeler or is a person who may stand in place of the minor child's parent.

In reaching his conclusion with respect to who should remain the representative payee for Daniel Keffeler, the Administrative Law Judge stated that a court order dated December 18, 1990 named Wanda Pierce as his legal guardian. Exhibit 18/5 through 12 to which the Administrative Law Judge referred, however, shows that Wanda Pierce petitioned the court for a limited guardianship of the estate of the minor children, Sarah and Daniel Keffeler, for the purpose of receipt of $24,000 in life insurance proceeds to be paid on account of the accidental death of their mother and that the court granted such limited guardianship.

In considering whether Ms. Pierce is the legal guardian of Daniel Pierce for the purpose of acting on his behalf to protest the appointment of the DSHS Trust Fund Unit, State of Washington, the Administrative Law Judge should consider that, pursuant to a hearing conducted on February 6, 1991 at which Daniel's father, caseworker, and the juvenile's attorney appeared, the Superior Court of Washington for County of Okanogan, Juvenile Division ordered, after stating that the child's father was afforded full due process, that the child was dependent pursuant to RCW 13.34.030(2) in that he has no parent, guardian or custodian capable of adequately caring for him, such that the child is in circumstances which constitute a danger of substantial damage to the child's psychological or physical development. The court concluded that it had jurisdiction over the child. No legal guardian for Daniel was identified by the court in considering his dependency. This is not inconsistent wit the statements of Wanda Pierce, herself, made to the Social Security Administration on May 30, 1991 in the presence of her representative, that she is not the legal guardian of Daniel Keffeler but is the guardian of his estate, and that, although Daniel visits her three to five times a month, she does not visit him at his foster home, does not give any money for his care or send him clothing. She further indicated at that time that she is unable to care for Daniel and does not intend to have him in her care in the future (Exhibit 8). The Administrative Law Judge should also consider that as late as April 7, 1993, the dependency of Daniel Keffeler, placed in out-of-home

care under the custody and supervision of the DCFS agency and who has resided out-of-home since April 10, 1989, was reviewed by the court at which proceeding only the child's caseworker and juvenile's attorney appeared, and that consideration had not been given to placement with the child's relatives. The court found that the child was still dependent on the State and that foster care placement should continue. July 1996, the month the child will attain 18, was projected as the date of emancipation from the court's jurisdiction.

If, in light of the above, the Administrative Law Judge finds that Wanda Pierce does not have standing as the legal guardian or other person to stand in place of the child, he will dismiss the request for hearing filed by her on September 5, 1991 under 20 CFR 404.957 and 404.930. If he finds that she does have such standing, he will consider at a proceeding, at which an appropriate State official appears as an interested party, who should be the representative payee of Daniel Keffeler. In this regard, the Administrative Law Judge will consider the evidence detailed above within the context of 20 CFR 404.2040 and 404.2045 which provide that the representative payee must use the funds for the beneficiary's current maintenance before such funds may be conserved for him and that, notwithstanding the requirement to use the funds for current maintenance purposes, it is not inappropriate where the beneficiary receives public assistance, that the Social Security benefit payments be made available by the representative payee to the public assistance

unit. The claimant, in her request for hearing, asserts that Daniel, who is in foster care, does not need the Social Security benefits to which he is entitled and that any use of these benefits for his immediate needs would diminish his support by State funds, suggesting that she, as representative payee, would conserve these funds for his future needs, such as for education, while the cost of his current maintenance is borne by the State of Washington. The Appeals Council observes that it is the position of the Social Security Administration (POMS GN 0502.133B) that an agency/court who is the legal custodian for a child is generally the representative payee of preference. When a social agency or juvenile court is awarded legal custody of a child who is removed from the custody of a parent, the agency/court retains custody of the child even though the agency/court does not have actual physical custody of the child. Further, if the agency places the child into foster care or a group living household, but retains overall control of the child, the agency retains custody.

The Administrative Law Judge may take any further action needed to complete the administrative record.

APPEALS COUNCIL

/s/

Larry K. Banks
Administrative Appeals Judge

/s/

Michael G. Heitz
Administrative Appeals Judge

DATE: May 31 1994

EXHIBIT 20 – Page 1 of 8

SOCIAL SECURITY ADMINISTRATION
OFFICE OF HEARINGS AND APPEALS

ORDER

In the case of Daniel Mark Keffeler, Claimant Mary Lou Pierce, Wage earner	Claim for Survivor's Benefits Wage earner's Social Security Number: 538-58-5094

Since mailing the *MEMORANDUM RE ISSUES AND FACTS*, of April 18, 1995, one response was received. Mr. Michael R. Hobbs, noted that "Point 5" was in error as "DSFG last received the benefits 3/93." This warrants a change in the statements presented in the *MEMORANDUM RE ISSUES AND FACTS*, as do the identification of typographical errors in Point 3 and Point 6, i.e., the word ""help" should have been "held." Other corrections which do not appear to be of substantive importance have also been made.

ORDER

The following facts and events are not in dispute:

Mary Lou Pierce died. She was survived by her children, one of whom is Daniel Mark Keffeler (claimant). The claimant was born on July 24, 1978. On qualifying for child's

Exhibit 20 – Page 2 of 8

benefits on his mother Social Security account, a representative payee had to be appointed for the claimant. The claimant's grandmother, Wanda B. Pierce, was appointed and served as the claimant's representative payee.

On April 20, 1991, the Social Security Administration (Administration) determined that a new representative payee should be appointed and that the State of Washington Department of Social and Health Services (DSHS) Trust Fund Unit was to be the representative payee.[1] (Exhibit 4 at page 1.) On April 26, 1991, Rodney M. Reinbold, acting as the attorney for Wanda Pierce, objected to the action. (Exhibit 5.) This action by Wanda B. Pierce was considered a request for reconsideration. On July 17, 1991, a reconsideration determination issued which advised Mr. Reinbold of the effect of its intended action, which continued to be a change of the representative payee. On September 5, 1991, Wanda B. Pierce filed a *Request for Hearing*. A hearing was held on October 19, 1992.[2] The Appeals Council certified that the tape recording of the hearing (the official record of the hearing) was lost and

1. See 20 C.F.R. 404.902(p), re action that constitutes an initial determination.

2. There is an allegation that there is no transcript because no hearing was held. In conflict with this, the decision states that a hearing was held on October 19, 1992.

remanded the case for a new hearing and decision, with directions relevant to identifying who are appropriate parties to the proceedings.

The standing of individuals and the State of Washington as parties and participants are not in dispute and, for the stated reasons, are as follows:

1 – The claimant is a real party in interest. As he is a minor, there is an issue as to his independent ability to act on his own behalf and a presumption that he cannot. If the claimant wishes to present evidence on his own behalf, he may, but absent evidence that he is a mature individual, able to care for himself and his assets, there will be a continuing presumption of his inability to do so. The claimant has not designated an attorney or other adult to act on his behalf, as provided for under 20 C.F.R. 404.1700 *et seq*. This means that other adults must be looked to as those who properly represent the claimant.[3] As will be seen, there are conflicting interests at work in this case. The decision as to who is a party in interest should take into consideration that reasonable action needs to be taken to be sure that no proper

3. The undersigned bears a legal duty to assist the claimant in so far as seeing to it that there is a full and fair development of the record (both as to the issues and the related facts) and a proper application of the law.

issue is omitted from consideration and that all evidence relevant to a fact in issue be obtained. To further that end, there should be an encouragement of participation by all those who may materially add to my ability to identify the issues and the evidence material to a decision.

2 – The claimant's father is alive. Though the claimant's father has not lost all of his rights as a parent of the claimant, the available record shows that he has not and probably will not take any affirmative action to help his son in the matter now pending. As a parent, whose full parental duties have not been ended, he will be given notice of actions to be taken in this matter and will have a right to respond, as would any party in interest. If he should fail to respond, he will be held to such a failure, as he would if he were a party in interest.

3 – The claimant's maternal grandmother, Wanda B. Pierce, has demonstrated an interest in the claimant's welfare, including acting as the guardian of the claimant's estate under the laws of the State of Washington and acting as the claimant's representative payee. The actions at issue, relevant to her removal as the claimant's representative payee, are not associated with any allegation of misconduct which would result in personal responsibility or liability for funds that have been spent. Her demonstrated interest has been to

preserve the claimant's estate. There is evidence that she wishes to do so for the purpose of enabling the claimant to continue with his education after he is 18 years of age. There is evidence that she has declined active efforts at custodial responsibility over the claimant because of her age and other circumstances. Relevant to the claimant's best interests, no one else appears primarily interested in maximizing the claimant's estate. Wanda B. Pierce, by reason of her blood relationship and demonstrated interest in the claimant's financial well being, is found to have acted *on behalf of the claimant* and will be permitted to continue to act as a party in interest *on behalf of the claimant*.[4]

4 – Based upon the ruling of the Appeals Council and the absence of any objection, the Secretary of the Department of Social and Health Services, State of Washington, Division of Children and Family Services (DSFS), is a party to the proceedings. This status is associated with evidence indicating that DCFS is *in loco parenti* (in the position of a parent). The record indicates that DCFS has been financially responsible for foster care of the

4. As a duly appointed representative payee, Wanda B. Pierce, has no standing to object to her removal. If her financial responsibility were at issue, then she would be entitled to be a party on her own behalf.

claimant. In association with the determination to remove Wanda B. Pierce as representative payee, DCFS was acting as representative payee and spending the claimant's Social Security benefits for foster care through March of 1993.

5 – After March 21, 1995, the undersigned was advised of additional guardianship proceedings, with the appointment of Rob and Cheryl Vanderstoep as guardians of the claimant with specified powers as to the care of the claimant, *excluding* receipt, investment and expenditure of funds. (Superior Court of the State of Washington, County of Okanogan, Juvenile Division, No. 91-7-00006-9.) As yet, Rob and Cheryl Vanderstoep have not participated in this matter. As persons with guardianship responsibility, they will be given notice of actions to be taken in this matter and will have a right to respond *on behalf of the claimant*, as would any party in interest. If they should fail to respond, they will be held to such a failure, as they would if they were parties in interest.

The general issues to be determined are whether the Administration correctly removed the claimant's representative payee, Wanda B. Pierce, and, if so, whether DSHS was properly appointed the claimant's representative payee. As to the issue of removal of Wanda B. Pierce, the Administration determined that Wanda B. Pierce should be removed because she was not spending any of the claimant's

monthly benefits for the current care of the claimant, rather saving it for future use for the claimant or delivery to the claimant. This presents the issue provided by 20 C.F.R. 404.2050:

> " . . . We will select a new payee if we find . . . the present payee –
>
> (a) Has not used the benefit payments on the beneficiary's behalf in accordance with the guidelines in this subpart; . . . ."

The guidelines in the designated subpart are stated in 20 C.F.R. 404.2040.

The last known address of each party and participant is stated after my signature as a recipient of a copy of this ORDER, i.e., those listed under "c.c.:" on page 5. Each party and participant is responsible for notifying me of any change of address and of any error in the address listed for others.

Any motion or request to amend this order shall be submitted before May 15, 1995.

Date: May 3, 1995

/s/
Lloyd Tunik
Administrative Law Judge

c.c.:

Rodney M. Reinbold,
Attorney for Wanda Pierce
P.O. Box 751
Okanogan, WA 98840

Daniel Mark Keffeler,
claimant
Rt. 1 Box 128C
Omak, WA 98841

Dan A. Keffeler,
father of claimant
P.O. Box 555
Okanogan, WA 98840

Rob and Cheryl
Vanderstoep
Rt. 1 Box 128C
Omak, WA 98841

The Secretary of the Department of Social and Health Services, State of Washington,
Post Office Box 9501
Olympia, WA 98507-9501

Attention David W. Coe, Assistant Attorney General

Michael R. Hobbs, SSI Program Manager, DCFS
Department of Social and Health Services
State of Washington,
Post Office Box 45710
Olympia, WA 98504-5710

(K53858DR)

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STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
Olympia, WA 98504-5000

May 9, 1995

Lloyd Tunik, Administrative Law Judge
Office of Hearings and Appeals
Suite 770, Rock Pointe Tower
W. 316 Boone Avenue
Spokane, WA 99201

RE: Daniel Mark Keffeler SSN: 538-58-5094

The Honorable Lloyd Tunik:

Please consider this letter and the enclosed materials in answer to your letter of May 3, 1995. May I suggest that the event that caused the Social Security Administration to determine that Wanda B. Pierce was not spending any of claimant's monthly benefits for the current care of the claimant was the assertion by an employee of DSHS that the claimants current needs were being met by foster care payments. This assertion may have been made by inference as it is a routine matter for DSHS to apply for Social Security Benefits when children are in foster care and the Social Security Claims Representative was probably familiar with the names of the employee of DSHS.

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I have enclosed 10 pages of printed materials to support the allegation that the claimants "current maintenance" has been met by foster care payments from 6/1/91 to present. The first two pages of the materials are the description of foster care payments that are made using service code 3210. The description, under the heading, Program: Child Foster Family Care, clearly includes maintenance a defined in subpart U at 20 CFR 404.2040 (a). The next 8 pages make up the record payments made on Daniel's behalf to various providers. You will find that a 3210 payment has been made for every month since 6/1/95. To my knowledge, Wanda Pierce has made no contribution towards the claimants maintenance from the Social Security Benefits she has received as the claimants representative payee.

Respectfully,

/s/

Michael R. Hobbs
SSI Program Manager, DCFS HDQTRS.
(360) 664-0829

F4 to Record Your Update and/or Proceed
RSRVCOD REVIEW SERVICE CODE SRVCDPX SRVCODMX
Service Code: 3210 LAST Actn: C Actn Date: 06 16 94 Chg Efctv Date: 01 01 91
Name: DCFS FOSTER CARE SVC
Reason for Service: A B C D E F +
Objective :
Division Owner : B
Unit of Srvc : MON
SSN Req :
Rsponsblty Grp : 3
Payment Type : 3
Rate Code : R
Rates: Min Amt : 291.76
W-H OASI Req : N
Cntrct-Lic Req : L
Create ETP rec. :
Service Group: 32
Max No.: Mon: 6 Hrs.:
Cntngncy Allowd: N
Item 21 Req : Y
Fund Source : 1 2 4 5 Q R
Participation : 0
Max Amt : 425.09
Provider Req :
Chng Efctv Date:
Dup allowed? :
Child Adult
Primary X -
Service X :
Units: 1
Prmry Recip Req: Y
Item 21 Max : 012
Payee Req : 2
Efctv Date: : 01 01 93
Placement Req : Y
Supvsr Aprvl Req:
Desc: PROGRAM: CHILD FOSTER FAMILY + Notes: EFFECTIVE 01/01/93, RATES FOR +
CMD: R
Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10---PF11---PF12---
HELP UPDT MORE RSTRT TUTOR CANCL
BU Aa B1—SESSION1 R 21 C 40 10:28 5/09/95

----------Service code description for 3210----------+
Press 'PF3' to Exit
Bottom <....+....1....+....2....+....3....+....4....+....5....+....6>
0001 PROGRAM: CHILD FOSTER FAMILY CARE
0002 SERVICES INCLUDE PLACEMENT AND COUNSELING WITH CHID AND
0003 FOSTER PARENT(S) TO REACH GOALS DEVELOPED FOR THE CHILD/
0004 FAMILY. PAYMENT AT BASIC RATE FOR ROOM, BOARD, CLOTHING AND
0005 PERSONAL INCIDENTALS FOR ALL CHILDREN PLACED IN FAMILY
0006 FOSTER CARE. INCLUDES CASE MANAGEMENT SERVICES PROVIDED BY
0007 DCFS SERVICE WORKERS TO CHILDREN IN SUBSTITUTE CARE AIMED AT
0008 ENABLING THE CHILD AND HIS/HER CARETAKERS TO UTILIZE
0009 MEDICAL, EDUCATIONAL, SOCIAL AND OTHER SERVICES NECESSARY
0010 FOR MAINTAINING THE CHILD'S PHYSICAL, PSYCHOLOGICAL AND/OR
0011 DEVELOPMENTAL HEALTH.
0012
0013
0014
0015
<....+....1....+....2... LINES: 015 ....4....+....5....+....6>
JUMP: ____ SCROLL: ____ SCAN: _____
PF2=CAL,PF3=EXIT, PF7=PREV,PF8=NEXT,PF11=SPELL
+----------
4BU Aa B1—SESSION1 R 20 C 10 10:28 5/09/95

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F4 to record Your Update and/or Proceed

SPMNT				PAYMENT SEARCH PROCEDURE		PMNTS1	PMNTM2	
Ac	JV	Ofc Worker	Srvc	Recipient Name	Strt End Date	Amt Auth	Amt Paid	SOF
_		713 44YS28	3210	KEFFELER, DAN	06/01/91 06/07/91		90.44	5
_	*	713 44YS28	3212	KEFFELER, DAN	06/01/91 06/07/91		28.98	5
_	*	713 44YS28	3210	KEFFELER, DAN	06/07/91 06/30/91		310.08	5
_	*	713 44YS28	3212	KEFFELER, DAN	06/07/91 06/30/91		99.36	5
_	*	713 44YS28	3210	KEFFELER, DAN	07/01/91 07/31/91		393.06	5
_	*	713 44YS28	3212	KEFFELER, DAN	07/01/91 07/31/91		126.07	5
_	*	713 44YS28	3210	KEFFELER, DAN	08/01/91 08/31/91		393.06	5
_	*	713 44YS28	3212	KEFFELER, DAN	08/01/91 08/31/91		126.07	5
_	*	713 44CS17	2510	KEFFELER, DAN	08/22/91 08/23/91		161.61	
_	*	713 44YS28	3210	KEFFELER, DAN	09/01/91 09/30/91		396.06	5
_	*	713 44YS28	3212	KEFFELER, DAN	09/01/91 09/30/91		126.07	5
_	*	713 44CS17	3233	KEFFELER, DAN	09/23/91 09/23/91		47.84	5
_	*	713 44YS28	3210	KEFFELER, DAN	10/01/91 10/31/91		393.06	5
_	*	713 44YS28	3212	KEFFELER, DAN	10/01/91 10/31/91		126.07	5
_	*	713 44YS28	3210	KEFFELER, DAN	11/01/91 11/30/91		393.06	5

CMD:_____
Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10—PF11—PF12----------
HELP UPDT PREV NEXT RSTRT TUTOR CANCL
BU Aa B1—SESSION1 R 6 C 3 10:31 5/09/95

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SPMNT PAYMENT SEARCH PROCEDURE PMNTS1 PMNTM2

Ac	JV	Ofc	Worker	Srvc	Recipient Name	Strt End Date	Amt Auth	Amt Paid	SOF
_	*	713	44YS28	3212	KEFFELER, DAN	11/01/91 11/30/91		126.07	5
_	*	713	44YS28	3210	KEFFELER, DAN	12/01/91 12/31/91		393.06	5
_	*	713	44YS28	3212	KEFFELER, DAN	12/01/91 12/31/91		126.07	5
_	*	713	44CS17	3219	KEFFELER, DAN	12/08/91 12/09/91		16.25	5
_	*	713	44CS17	3225	KEFFELER, DAN	12/23/91 12/23/91		39.16	5
_	*	713	44YS28	3210	KEFFELER, DAN	01/01/92 01/31/92		393.06	5
_	*	713	44YS28	3212	KEFFELER, DAN	01/01/92 01/31/92		126.07	5
_	*	713	44CS17	3233	KEFFELER, DAN	01/02/92 01/02/92		176.00	5
_	*	713	44YS28	3210	KEFFELER, DAN	02/01/92 02/29/92		393.06	5
_	*	713	44YS28	3212	KEFFELER, DAN	02/01/92 02/29/92		126.07	5
_	*	713	44CS17	3233	KEFFELER, DAN	02/25/92 02/25/92		174.72	5
_	*	713	44YS28	3210	KEFFELER, DAN	03/01/92 03/31/92		393.06	5
_	*	713	44YS28	3212	KEFFELER, DAN	03/01/92 03/31/92		126.07	5
_	*	713	44CS17	3233	KEFFELER, DAN	03/23/92 03/23/92		160.32	5
_	*	713	44YS28	3210	KEFFELER, DAN	04/01/92 04/30/92		393.06	5

CMD:_____

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10—PF11—PF12----------

HELP UPDT PREV NEXT RSTRT TUTOR CANCL

BU Aa B1—SESSION1 R 6 C 3 10:31 5/09/95

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SPMNT PAYMENT SEARCH PROCEDURE PMNTS1 PMNTM2

Ac	JV	Ofc	Worker	Srvc	Recipient Name	Strt End Date	Amt Auth	Amt Paid	SOF
_	*	713	44YS28	3212	KEFFELER, DAN	04/01/92 04/30/92		126.07	5
_	*	713	44YS28	3210	KEFFELER, DAN	05/01/92 05/31/92		393.06	5
_	*	713	44YS28	3212	KEFFELER, DAN	05/01/92 05/31/92		126.07	5
_	*	713	44YS28	3210	KEFFELER, DAN	06/01/92 06/07/92		90.44	5
_	*	713	44YS28	3212	KEFFELER, DAN	06/01/92 06/07/92		28.98	5
_	*	713	44CS17	3233	KEFFELER, DAN	06/03/92 06/03/92		398.47	5
_	*	713	44CS17	3210	KEFFELER, DAN	06/08/92 06/30/92		302.62	5
_	*	713	44CS17	3212	KEFFELER, DAN	06/08/92 06/30/92		97.09	5
_	*	713	44CS17	3210	KEFFELER, DAN	07/01/92 07/31/92		393.06	5
_	*	713	44CS17	3212	KEFFELER, DAN	07/01/92 07/31/92		126.07	5
_	*	713	44CS17	3210	KEFFELER, DAN	08/01/92 08/31/92		393.06	5
_	*	713	44CS17	3212	KEFFELER, DAN	08/01/92 08/31/92		126.07	5
_	*	713	44CS17	3225	KEFFELER, DAN	08/03/92 08/03/92		100.00	5
_	*	713	44CS17	3233	KEFFELER, DAN	08/03/92 08/03/92		475.21	5
_	*	713	44CS17	3210	KEFFELER, DAN	09/01/92 09/30/92		393.06	5

CMD:_____

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10—PF11—PF12----------

HELP UPDT PREV NEXT RSTRT TUTOR CANCL

BU Aa B1—SESSION1 R 6 C 3 10:31 5/09/95

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SPMNT PAYMENT SEARCH PROCEDURE PMNTS1 PMNTM2

Ac	JV	Ofc	Worker	Srvc	Recipient Name	Strt End Date	Amt Auth	Amt Paid	SOF
_		713	44CS17	3212	KEFFELER, DAN	09/01/92 09/30/92		126.07	5
_	*	713	44CS17	3233	KEFFELER, DAN	09/21/92 09/21/92		193.05	5
_	*	713	44CS17	3210	KEFFELER, DAN	10/01/92 10/09/92		116.28	5
_	*	713	44CS17	3212	KEFFELER, DAN	10/01/92 10/09/92		37.26	5
_	*	713	22CS17	3233	KEFFELER, DAN	10/05/92 10/05/92		347.23	5
_	*	713	22CS17	3225	KEFFELER, DAN	10/05/92 10/05/92		60.20	5
_	*	713	22CS17	3210	KEFFELER, DAN	10/09/92 10/31/92	425.09	305.90	5
_	*	713	22CS17	3212	KEFFELER, DAN	10/09/92 10/31/92	136.34	97.98	5
_	*	713	22CS17	3210	KEFFELER, DAN	11/01/92 11/30/92	425.09	404.85	5
_	*	713	22CS17	3212	KEFFELER, DAN	11/01/92 11/30/92	136.34	129.85	5
_	*	713	22CS17	3210	KEFFELER, DAN	12/01/92 12/31/92	425.09	404.85	5
_	*	713	22CS17	3212	KEFFELER, DAN	12/01/92 12/31/92	136.34	129.85	5
_	*	713	22CS17	3210	KEFFELER, DAN	01/01/93 01/31/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	01/01/93 01/31/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	02/01/93 02/28/93	425.09	425.09	5

CMD:_____

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10—PF11—PF12----------

HELP UPDT PREV NEXT RSTRT TUTOR CANCL

BU Aa B1—SESSION1 R 6 C 3 10:31 5/09/95

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SPMNT PAYMENT SEARCH PROCEDURE PMNTS1 PMNTM2

Ac	JV	Ofc	Worker	Srvc	Recipient Name	Strt End Date	Amt Auth	Amt Paid	SOF
_	*	713	22CS17	3212	KEFFELER, DAN	02/01/93 02/28/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	03/01/93 03/31/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	03/01/93 03/31/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	04/01/93 04/30/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	04/01/93 04/30/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	05/01/93 05/31/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	05/01/93 05/31/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	06/01/93 06/30/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	06/01/93 06/30/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	07/01/93 07/31/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	07/01/93 07/31/93	136.34	136.34	5
_	*	713	22CS17	3233	KEFFELER, DAN	07/13/93 07/13/93	763.00	763.00	5
_	*	713	22CS17	3210	KEFFELER, DAN	08/01/93 08/31/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	08/01/93 08/31/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	09/01/93 09/30/93	425.09	425.09	5

CMD:_____

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10—PF11—PF12----------

HELP UPDT PREV NEXT RSTRT TUTOR CANCL

BU Aa B1—SESSION1 R 6 C 3 10:31 5/09/95

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SPMNT PAYMENT SEARCH PROCEDURE PMNTS1 PMNTM2

Ac	JV	Ofc	Worker	Srvc	Recipient Name	Strt End Date	Amt Auth	Amt Paid	SOF
_	*	713	22CS17	3212	KEFFELER, DAN	09/01/93 09/30/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	10/01/93 10/31/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	10/01/93 10/31/93	136.34	136.34	5
_	*	713	22CS17	3219	KEFFELER, DAN	10/01/93 10/31/93	180.00	108.00	5
_	*	713	22CS17	3210	KEFFELER, DAN	11/01/93 11/30/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	11/01/93 11/30/93	136.34	136.34	5
_	*	713	22CS17	3219	KEFFELER, DAN	11/01/93 11/30/93	180.00	54.00	5
_	*	713	22CS17	3210	KEFFELER, DAN	12/01/93 12/31/93	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	12/01/93 12/31/93	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	01/01/94 01/31/94	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	01/01/94 01/31/94	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	02/01/94 02/28/94	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	02/01/94 02/28/94	136.34	136.34	5
_	*	713	22CS17	3233	KEFFELER, DAN	02/25/94 02/25/94	180.00	180.00	5
_	*	713	22CS17	3210	KEFFELER, DAN	03/01/94 03/31/94	425.09	425.09	5

CMD:_____

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10—PF11—PF12----------

HELP UPDT PREV NEXT RSTRT TUTOR CANCL

BU Aa B1—SESSION1 R 6 C 3 10:31 5/09/95

Exhibit 21 – 10 of 12

SPMNT PAYMENT SEARCH PROCEDURE PMNTS1 PMNTM2

Ac	JV	Ofc	Worker	Srvc	Recipient Name	Strt End Date	Amt Auth	Amt Paid	SOF
_	*	713	22CS17	3212	KEFFELER, DAN	03/01/94 03/31/94	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	04/01/94 04/30/94	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	04/01/94 04/30/94	136.34	136.34	5
_	*	713	22CS17	3233	KEFFELER, DAN	04/05/94 04/05/94	380.00	380.00	5
_	*	713	22CS17	3210	KEFFELER, DAN	05/01/94 05/31/94	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	05/01/94 05/31/94	136.34	136.34	5
_	*	713	22CS17	3210	KEFFELER, DAN	06/01/94 06/30/94	425.09	425.09	5
_	*	713	22CS17	3212	KEFFELER, DAN	06/01/94 06/30/94	136.34	136.34	5
_	*	713	22CS17	3233	KEFFELER, DAN	06/10/94 06/10/94	85.00	85.00	5
_	*	713	22CS17	3210	KEFFELER, DAN	07/01/94 07/10/94	425.09	139.70	5
_	*	713	22CS17	3212	KEFFELER, DAN	07/01/94 07/10/94	136.34	44.80	5
_	*	713	22CS17	3210	KEFFELER, DAN	07/11/94 07/30/94	425.09	279.40	5
_	*	713	22CS17	3210	KEFFELER, DAN	08/01/94 08/31/94	425.09	425.09	5
_	*	713	22CS17	3210	KEFFELER, DAN	09/01/94 09/30/94	425.09	425.09	5
_	*	713	22CS17	3210	KEFFELER, DAN	10/01/94 10/31/94	425.09	425.09	5

CMD:_____

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10—PF11—PF12----------

HELP UPDT PREV NEXT RSTRT TUTOR CANCL

BU Aa B1—SESSION1 R 6 C 3 10:31 5/09/95

Exhibit 21 – 11 of 12

Exhibit 21 – 12 of 12

SPMNT PAYMENT SEARCH PROCEDURE PMNTS1 PMNTM2

Ac	JV	Ofc	Worker	Srvc	Recipient Name	Strt	End	Date	Amt Auth	Amt Paid	SOF
	*	713	22CS17	3210	KEFFELER, DAN	11/01/94	11/30/94		425.09	425.09	5
–	*	713	22CS17	3210	KEFFELER, DAN	12/01/94	12/31/94		425.09	425.09	5
–	*	713	22CS17	3210	KEFFELER, DAN	01/01/95	01/31/95		425.09	425.09	5
–	*	713	22CS17	3210	KEFFELER, DAN	02/01/95	02/28/95		425.09	425.09	5
–	*	713	22CS17	3210	KEFFELER, DAN	03/01/95	03/31/95		425.09	425.09	5
–					Payment Records: 110				Paid:	27833.05	
Offc: 713					Payment Records: 110				Paid:	27833.05	
Regn: 1					Payment Records: 110				Paid:	27833.05	
Prsn: 531139											

CMD:_____

Enter-PF1---PF2---PF3---PF4---PF5---PF6---PF7---PF8---PF9---PF10—PF11—PF12

HELP UPDT PREV NEXT RSTRT TUTOR CANCL

BU Aa B1—SESSION1 R 6 C 3 10:31 5/09/95

Exhibit 24 – 1 of 9

NOTICE TO PROCESSING CENTER:
FURTHER ACTION NECESSARY

SOCIAL SECURITY ADMINISTRATION
OFFICE OF HEARINGS AND APPEALS

DECISION

In the case of	Claim for Survivor's Benefits
Daniel Mark Keffeler, Claimant	Social Security Numbers Wage earner: 538-58-5094 Claimant: 535-92-6777
Mary Lou Pierce, Wage earner	

JURISDICTIONAL AND MATERIAL FACTS

On September 28, 1990, Mary Lou Pierce died. She was survived by her children, one of whom is Daniel Mark Keffeler (claimant). The claimant was born on July 24, 1978. The claimant qualified for child's benefits on his mother's Social Security account and a representative payee had to be appointed for the claimant. The Social Security Administration (Administration) appointed Wanda Pierce, the claimant's grandmother, to serve as representative payee.

On April 20, 1991, the Administration determined that Wanda Pierce should be removed, that a new representative payee should be appointed and that the State of Washington Department of Social and Health Services (DSHS) Trust Fund Unit should be

the representative payee.[1] (Exhibit 4 at page 1.) On April 26, 1991, Rodney M. Reinbold, acting as the attorney for Wanda Pierce, objected to the action. (Exhibit 5.) This objection by Wanda Pierce was considered a request for reconsideration. On July 17, 1991, the Administration issued a reconsideration determination, advising Mr. Reinbold of the effect of its intended action, i.e., to change the claimant's representative payee. On September 5, 1991, Wanda Pierce filed a *Request for Hearing*. A hearing was held on October 19, 1992. In the process of reviewing an appeal from the decision, the tape recording of the hearing (the official record of the hearing) was certified as lost. The case has been remanded for a *de novo* hearing and a decision. (See exhibit 28.)

Before scheduling a hearing, actions were taken to identify the appropriate parties and participants to the matter, to identify the issues, and to establish what material facts were in dispute. (See exhibits 26 through 34.) The result of these actions led to an *ORDER* which identified the facts that were not in dispute, the issues, the parties, and those who would be permitted to participate. (See exhibits 28 and 33.) The *ORDER* is incorporated by reference in this decision. The actions also showed that there was no additional evidence relevant to a decision and, therefore, no legal necessity for a formal hearing to take testimony. The parties and participants were given an opportunity to present arguments and

1. See 20 C.F.R. 404.902(p), re action that constitutes an initial determination.

specific points and authorities relevant to the issues. (Exhibit 34.) Nothing has been received. The case is being decided upon the record and without a hearing.

ISSUES

The general issues to be determined are whether the Administration correctly removed the claimant's representative payee, Wanda B. Pierce, and, if so, whether DSHS Trust Fund Unit was properly appointed the claimant's representative payee.

As to the issue of removal of Wanda B. Pierce, the Administration determined that Wanda B. Pierce should be removed because she was not spending any of the claimant's monthly benefits for the current care of the claimant, rather saving it for future use for the claimant or delivery to the claimant. This presents the issue provided by 20 C.F.R. 404.2050:

> " . . . . We will select a new payee if we find . . . the present payee - -
>
> (a) Has not used the benefit payments on the beneficiary's behalf in accordance with the guidelines in this subpart; . . .."

The guidelines in the designated subpart are stated in 20 C.F.R. 404.2040. The language of section 404.2040 which appears relevant is as follows:

> "(a) *Current maintenance.* (1) We will consider that payments we certify to a representative payee have been used for the use and benefit of the beneficiary if they are used for the beneficiary's current maintenance. Current maintenance includes cost incurred in

obtaining food, shelter, clothing, medical care, and personal comfort items. . . .

(d) *Claims of creditors.* A payee may not be required to use benefit payments to satisfy a debt of the beneficiary, if the debt arose prior to the first month for which payments are certified to a payee. If the debt arose prior to the time, a payee may satisfy it only if the current reasonably foreseeable needs of the beneficiary are met."

EVALUATION

The appointment of the claimant's grandmother, Wanda Pierce, as representative payee, is not a determination which can be altered or set aside in an arbitrary or capricious manner. Removal is subject to and performed under standards established by law. In this case, the standard is provided by 20 C.F.R. 404.2050, which would require a finding that Wanda Pierce has not used the benefits in accordance with the guidelines in section 404.2040.

Spending for the claimant's current maintenance is within the guidelines. The claimant's current maintenance includes food, shelter, clothing, medical care, and personal comfort items. Other items can reasonably be inferred to be within the guidelines, including reasonable spending on education and training.[2] So long as the current needs of the

2. Accord, 11th ed., *Social Security Handbook 1993*, pages 267 and 268: "1616 A REPRESENTATIVE PAYEE must apply payments for the use and benefit of the entitled individual. Social Security benefits are properly disbursed if they are: A. Spent for the beneficiary's current and reasonably foreseeable needs; or B. Saved and invested for the beneficiary, if current needs are being met. . . . 1617 CURRENT NEEDS ARE THE IMMEDIATE AND REASONABLY FORESEEABLE ESSENTIALS FOR LIVING such as shelter, food, clothing, utilities, medical care and insurance, dental care, personal hygiene, education and rehabilitation expenses of the disabled.

claimant are being met, the law does not require a spending upon support and maintenance.

> For example, the regulations do not require that a father or mother, when acting as representative payee for their child, spend the child's benefits on support and maintenance when they are willing and able to do so, even if their child is entitled to benefits due to the death of a step-parent.

In this case, Wanda Pierce has submitted an affidavit which shows that of $6,369.39 received, she has spent $3,531.00 to provide the claimant with clothing, transportation, educational opportunities, and personal comfort or pleasure. (Exhibit 31.) Though some detailed explanation might be warranted in a formal accounting,[3] there is no express allegation or argument presented, and there is nothing on the face of the expenditure record to

3. The statement of deposits and expenses, and the references to the claimant's proceeds from insurance do not show that she kept the claimant's earned income or other income or assets separate from his Social Security income, a matter that could be of importance because of the protection afforded to the claimant's Social Security income. See section 207 of the Social Security Act (42 U.S.C. section 407).

Exhibit 24 – 6 of 9

show that it was not within the guidelines of 20 C.F.R. 404.2040, e.g., spent for clothing, education, or personal comfort.

Wanda Pierce did not spend any of the claimant's benefits by payments to DSHS Trust Fund Unit toward deferring the cost of foster care for the claimant. The guidelines can be found to require spending if the claimant has current maintenance needs that are not otherwise met or if the claimant is indebted for his current maintenance (cost incurred in obtaining food, shelter, clothing, medical care, and personal comfort items) and the representative payee is presented with a claim. There is no evidence that the claimant's current maintenance needs are not being met, that the claimant has been indebted for maintenance to DSHS Trust Fund Unit (or to anyone else) or that any claim has been presented to Wanda Pierce.

Finding: The expenditures made by Wanda Pierce, totaling $3,531.00, are not show to have been spent in violation of the guidelines of 20 C:F.F. 404.2040.

Finding: The record provides no evidence that Wanda Pierce, as representative payee, has failed to pay any just debt of the claimant or failed to spend money upon the claimant's support and maintenance when such was necessary.

Finding: There is no substantial evidence that Wanda Pierce has failed to use the claimant's Social Security benefits in accordance with the guidelines in section 404.2040.

Exhibit 24 –7 of 9

Legal grounds for removal of Wanda Pierce as the representative payee have not been established. Though not in issue, some matters have been considered and are deserving of mention:

> Consideration has been given to the whether a reasonable interpretation of section 404.2040 would warrant removal of any representative payee if the only reason and purpose was to enable the DSHS Trust Fund Unit to be appointed. Granting that the DSHS Trust Fund Unit has a special status and responsibility for the claimant's care, no legal authority can be found to support such an interpretation.
>
> Consideration has been given to the position of the DSHS Trust Fund Unit. It undertook foster care of the claimant before his mother died and continues to have the expense of his foster care. If this expense establishes a just legal claim upon the claimant under 20 C.F.R. 404.2040(d), then the claim can be presented to the representative payee for appropriate action. (See also SSR 66-20 at pages 83 and 84 directing payment of customary charges for which the estate of the beneficiary would be liable to pay.) If it does not amount to a claim, then the policy of the State of Washington is not being frustrated in this case and payment of such expense may not be proper. (See also SSR 66-20 at pages 83 and 84 re ruling as to current 20 C.F.R. 404.2040(b) [former 20 C.F.R. 404.1606] and the authority of a

Exhibit 24 – 8 of 9

representative payee to pay or withhold payment to cover care and maintenance in a hospital. See 20 C.F.R. 404.2040(a)(2) re express exception for AFDC. NOTE: The propriety of payments to DSHS Trust Fund Unit made in the past is not at issue at this time.)

Consideration has been given to the fact that, when appointing a representative payee, the Administration may decide to give favored treatment toward appointing a state agency when that agency is providing the maintenance for a beneficiary. This case can be distinguished because such a policy is not a basis for removing another representative payee who is performing as required by law and is following the established guidelines.[4]

Because grounds for removal of Wanda Pierce as representative payee have not been established, the issue of replacement and the appointment of the DSHS Trust Fund Unit are moot.

---

4. There may be other distinguishing features not at issue. For example, unlike a case where State care begins due to the death of the wage earner, care of the claimant began before the wage earner's death. If the State of Washington was not entitled to recover cost of care from the claimant's mother before her death, it does not seem appropriate to establish an unwritten policy that would have the affect of requiring her to make payment (she earned the Social Security benefits which the State would use for her son's maintenance) after her death.

Exhibit 24 –9 of 9

DECISION

There is no legal basis for removing Wanda Pierce as the representative payee of Daniel Mark Keffeler and Wanda Pierce shall continue to serve as the representative payee of Daniel Mark Keffeler.

Date: JUNE 21, 1995

/s/
Lloyd Tunik
Administrative Law Judge

(K53858DM)

Exhibit 26 – Page 1 of 8

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON
IN AND FOR THE COUNTY OF OKANOGAN

IN RE THE GUARDIANSHIP OF: DAN MARK KEFFELER,	No. 90-4-00088-4 MOTION FOR ORDER TO SHOW CAUSE

COMES NOW the State of Washington, Department of Social and Health Services (DSHS), by and through Christine O. Gregoire, Attorney General, and David W. Coe, Assistant Attorney General, and moves this court for an order requiring the limited guardian, Wanda B. Pierce, to appear before this court to show cause:

(1) Why the limited guardianship should not be modified so as to require the guardian to assign her rights as payee for any benefits received on behalf of Dan M. Keffeler from the Social Security and/or Supplemental Security Income programs to DSHS, the current legal custodian of Dan M. Keffeler, until he reaches 18 years of age;

(2) Why the limited guardian of the estate, Wanda B. Pierce, should not be required to transfer all benefit payments previously received from the Social Security and/or Supplemental Security Income Programs for Dan M. Keffeler from April 1, 1993, to date, currently held in trust; or

Exhibit 26 – Page 2 of 8

(3) In the alternative, why she should not be removed as limited guardian, and replaced by DSHS or another suitable person as substitute limited guardian.

GROUNDS

Dan M. Keffeler has been placed in foster care since July 30, 1990. The State of Washington has paid for Dan's foster care since that time, and will continue to pay for his care until he reaches age 18, on July 24, 1996. As limited guardian, Wanda Pierce is the designated payee for Social Security Administration benefits paid monthly for the care of Dan M. Keffeler. The limited guardian has received social security benefits since April of 1993. She refuses to assign the right to receive these benefits to the state or reimburse the state for the care of Dan M. Keffeler.

BASIS

This motion is based upon RCW 11.88.120, RCW 11.88.140(3), RCW 11.92.035, and the Declaration of David W. Coe, filed concurrently with this motion.

DATED THIS 9th day of FEBRUARY, 1994.

CHRISTINE O. GREGOIRE
Attorney General

By //s//
DAVID W. COE, WSBA #18636
Assistant Attorney General

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON
IN AND FOR THE COUNTY OF OKANOGAN

IN RE THE GUARDIANSHIP OF: DAN MARK KEFFELER,	No. 90-4-00088-4 DECLARATION OF DAVID W. COE IN SUPPORT OF SHOW CAUSE ORDER

DAVID W. COE declares as follows:

I am an Assistant Attorney General for the State of Washington, and am assigned to the Wenatchee Regional Services Office. I represent the Department of Social and Health Services (DSHS) in Okanogan County Juvenile Court, and am involved in the dependency of Dan M. Keffeler, Okanogan County Juvenile Court Cause No. 91-7-00006-9. In September of 1993, I was contacted by Michael R. Hobbs, a DSHS program manager in the Federal Revenue Unit for the Division of Children and Family Services, concerning reimbursement for foster care expenditures related to the dependency. I subsequently contacted Mr. Rodney Reinbold, attorney for limited guardian, Wanda Pierce, concerning the possibility of an assignment of social security benefits received on behalf of Dan Keffeler, and reimbursement for foster care from social security benefits previously received and held in trust.

Dan M. Keffeler has been in foster care funded by the State of Washington since July 30, 1990. A

dependency petition was filed in Okanogan County Juvenile Court, and Dan was subsequently found to be a dependent child under RCW 13.34.030 on February 6, 1991. The Division of Children and Family Services, Department of Social and Health services, has been the legal custodian of Dan since that date. The permanent plan of care proved by juvenile court is continued foster care placement until Dan turns 18 on July 24, 1996.

In the context of the dependency proceeding, there has been no involvement by Dan's father, Dan Keffeler, who presently has little or no contact with Dan. Dan's mother, Mary Lou Pierce, is deceased, and Dan receives monthly social security benefits as one of her surviving children. Wanda Pierce has never acted as a placement resource for Dan since the outset of the dependency, nor does she have any plans to do so, according to her attorney. Dan is doing well in the current licensed foster home, and wishes to remain in that placement.

According to information received from Mr. Hobbs, Washington State taxpayers are expending $560.00 per month for foster care for Dan Keffeler. The Department of Social and Health Services (DSHS) had been designated the payee for social security benefits paid on behalf of Dan Keffeler, and had applied them to offset the cost of the foster care. Wanda Pierce, as limited guardian of the estate of Dan Keffeler, obtained designation as payee for those benefits beginning in April of 1993.

It is generally recognized that social security benefits received by a worker's children are designed to provide for the children's support. *Pessein v. Pessein*, 68 Wash. App. 893, 895 (1993). The social security benefits received in trust by Wanda Pierce as limited guardian should be reassigned to DSHS. As Dan's legal custodian, DSHS provides for all of the day-to-day expenses involved in his care.

Ms. Pierce, through her attorney, has refused to assign the social security benefits for Dan to DSHS. Her attorney has further stated that Ms. Pierce is accumulating these funds to provide for Dan's future use.

Social security benefits received by a child are designed to substitute for the income earned by a parent who is no longer able to work by virtue of death or disability. The State of Washington is entitled to reimbursement for all foster care payments extended on behalf of a child, especially when there are funds presently available for that express purpose. For these reasons, DSHS requests the relief as set out in the show cause motion.

I declare under penalty of perjury under the laws of the State of Washington that the foregoing is true and correct to the best of my knowledge.

DATED THIS 9th day of FEBRUARY, 1994, at Wenatchee, Washington.

//s//
DAVID W. COE, WSBA #18636
Assistant Attorney General

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON
IN AND FOR THE COUNTY OF OKANOGAN

IN RE DAN MARK KEFFELER,	No. 90-4-00088-4 ORDER TO SHOW CAUSE

THIS MATTER having come before the undersigned Judge of the above-entitled court on the motion of the State of Washington, Department of Social and Health Services and the court being fully advised in the premises, NOW THEREFORE,

IT IS HEREBY ORDERED, ADJUDGED AND DECREED that Wanda B. Pierce, the guardian of the estate of Dan Mark Keffeler, shall appear at the Okanogan Superior Court, 149 Third, North, Okanogan, Washington 98840, on February 22, 1994, at 9:30 a.m. and then and there show cause why the guardianship should not be modified, or in the alternative, why she should not be removed as limited guardian, as alleged in the accompanying motion.

IF YOU FAIL TO APPEAR IN PERSON OR BY AN ATTORNEY AND ANSWER THE MOTION, THE RELEIF AS DESCRIBED IN THE MOTION MAY BE GRANTED.

DATED THIS 10 day of Feb, 1994

//s//Jack Burchard
JUDGE/COURT COMMISSIONER

Presented by:
CHRISTINE O. GREGOIRE
Attorney General
By //s//
DAVID W. COE, WSBA# 18636
Assistant Attorney General

Exhibit 26 – Page 7 of 8

IN THE SUPERIOR COURT OF THE
STATE OF WASHINGTON
IN AND FOR THE COUNTY OF OKANOGAN

IN RE THE GUARDIANSHIP OF:	No. 90-4-00088-4
DAN MARK KEFFELER,	NOTICE OF CLAIM

This claim is filed pursuant to RCW 11.92.035.

1. The claimant is: State of Washington, Department of Social and Health Services, Division of Child & Family Services, Financial Resource Unit, P.O. Box 45710, Olympia, WA 98507-5710.

2. The claim is filed by: David W. Coe, Assistant Attorney General, Office of the Attorney General, 18 S. Mission, 3rd Floor, Wenatchee, WA 98801, as attorney for the claimant.

3. The claimant is based upon the orders of dependency and disposition entered on February 6, 1991, in Okanogan County Juvenile Court under cause number 91-7-00006-9 which designated Dan Keffeler as dependent child, and established DSHS as the legal custodian of the child in foster care. DSHS status as legal custodian or Dan Keffeler, and his continued placement in foster care funded by DSHS, was recently reaffirmed in the review order entered February 2, 1994, a copy of which is attached as Exhibit A to this notice.

Exhibit 26 – Page 8 of 8

4. The amount of the claim is approximately $6,120.00, and represents the total amount of monthly foster care expenditures from April, 1993 to date.

5. The claim is presently due.

Submitted this 9th day of FEBRUARY, 1994.

CHRISTINE O. GREGOIRE
Attorney General

By //s//
DAVID W. COE, WSBA #18636
Assistant Attorney General

SUPERIOR COURT OF WASHINGTON
FOR OKANOGAN COUNTY

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED, Plaintiff, vs. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES AND DEPARTMENT OF LICENSING, Defendant.	No. 96-2-00157-2 AFFIDAVIT OF RICHARD J. ANDERSON

STATE OF WASHINGTON)
ss.:
COUNTY OF THURSTON)

Richard J. Anderson, being first duly sworn, states:

I am the Office Chief for the Office of Federal Funding in the Division of Program and Policy for the

Children's Administration in the Department of Social and Health Services (Department). Part of my responsibility is to oversee participation in federal programs that provide financing for services which the Children's Administration provides to the public. Primarily, these federal funds are used when children are placed in foster care by the Division of Children and Family Services (DCFS), also part of the Children's Administration.

It is the policy of DCFS to apply to the Social Security Administration (SSA) to be the Representative Payee for social security monies whenever a child is placed in foster care. If SSA chooses to make DCFS the Representative Payee, the actual checks are sent to the Department's Office of Financial Recovery and the money is then transferred to a suspense account in the Department's Office of Accounting Services. This money is used to reimburse the Department for monthly foster care expenses, including food, clothing, shelter and other personal or medical expenses as governed by the Code of Federal Regulations. Excess money is placed in trust accounts which bear interest and the interest is reported to SSA.

No fee is ever charged by DCFS for acting as Representative Payee or for managing these accounts. Balances are given to foster children when they emancipate at age 18 unless the child stays in foster care past the age of 18 to finish high school.

DCFS does not act as Protective Payee for foster children. At no time, from July 30, 1990 to the present, has DCFS ever be a Protective Payee for Danny Keffeler.

There are approximately 7,000 children in foster care. During the month of January 1997, the Trust Fund Unit of the Office of Accounting Services received payments for 1763 clients. The breakdown of these payments by number of children and source of money is as follows: The Department is Representative Payee for the Title XVI Social Security Insurance (SSI) payments for 1261 children; the Department is Representative Payee for Title II Social Security Payments for 370 children; the Department is Representative Payee for 123 children who are receiving both SSA and SSI; one Child is eligible for SSI/SSA and a Veterans Administration benefit; one child is eligible for Railroad Retirement payments; one child is eligible for a Federal Pension payment from a parent; one child receives Crime Victim Compensation from the Department of Labor and Industries (L&I); another child is receiving SSA and L&I; one child gets SSA and a payment from an insurance company; two children are receiving restitution from a biological parent.

Danny Keffeler was placed in foster care by his mother on July 30, 1990 under a Voluntary Placement Agreement. This agreement authorized DCFS to apply to be the Representative Payee for any benefits the child is eligible to receive and to use those funds to cover the cost of care.

The Department applied to SSA to become Representative Payee for Danny Keffeler after Danny became a dependent of the state in February 1991. In April 1991, SSA designated the Department as Representative Payee. The Department acted as Representative Payee for Danny and received money

for SSA from July 1991 to March 1993. After March 1993, the Department was no longer Danny's Representative Payee. As Danny's Representative Payee, the Department received $5,780.00 from SSA. The Department used all these monies to cover the cost of care for Danny.

Danny still resides in a DCFS foster home even though he is 18 because he has not completed high school. On July 24, 1996, Danny signed a Voluntary Placement Agreement that authorizes DCFS to apply to be his Representative Payee and to use those funds to cover the cost of care and services. However, the Department has not applied to become Danny's Representative Payee again.

The parents of foster children have child support assessed against them to help pay for the cost of foster care. The Department then will assume the rest of the responsibility for costs of care. If a child is entitled to Title II benefits, then the parent's child support obligation is reduced by the amount of Title II benefits received.

The Department has expended more than $43,000 for Danny's care.

//s//

_____

Richard J. Anderson

SUBSCRIBED AND SWORN to before me this 5 day of March, 1997.

//s//

_____

Notary Public and for Washington.
My Commission expires: Aug 30, 2000.

SUPERIOR COURT OF WASHINGTON
OKANOGAN COUNTY

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED, Plaintiff, vs. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES AND DEPARTMENT OF LICENSING, Defendant.	No. 96-2-00157-2 AFFIDAVIT OF RICHARD J. ANDERSON

STATE OF WASHINGTON)
: ss.
COUNTY OF THURSTON)

Richard J. Anderson, being first duly sworn, states:

My name is Richard J. Anderson. I am the Office Chief for the Office of Federal Funding in the Division of Program and Policy for the Children's

Administration (CA) in the Department of Social and Health Services (DSHS). Part of my responsibility is to oversee the administration's participation in federal programs that provide financing for the services that CA provides to the public. These federal funds are used when children are voluntarily placed in foster care or when a court determines a child to be dependent and is then placed in foster care by the Division of Children and Family Services (DCFS, also part of the Children's Administration).

It is the policy of DCFS to apply to the Social Security Administration to become the representative payee whenever a child is placed in foster care. It is also DCFS's policy that DCFS will make application for social security benefits whenever they have knowledge that a child's birth or adoptive parent is either deceased, disabled or retired.

In October 1989, Daniel Keffeler was voluntarily placed in foster care by his mother. After his mother died, Daniel began receiving social security monies under Title II of the Social Security Act.

When Wanda Pierce, the guardian of Daniel's estate, was designated by the Social Security Administration as representative payee and was receiving Daniel's social security monies, she did not remit any of this money to the Department to pay for Daniel's cost of care, including food, housing, and clothing.

Daniel's circumstances are unique. Daniel's case is the only instance since 1991 that I am aware of in which a child in foster care has had a guardian of the estate. In addition, the Department took unusual

action when it was removed as Daniel's representative payee in March 1993; at that time, the Administration appointed the guardian, Wanda Pierce, as representative payee.

In February 1994, the Department petitioned the court for an Order to Show Cause why the guardian was not remitting Daniel's social security monies to the Department for the costs of Daniel's care. This action by the Department is in no way common place nor is it indicative of the Department's policy towards private representative payees. The Department does not have a policy to petition the court for an explanation of why the guardian is not remitting social security monies to the Department. In addition, the Department does not pursue another representative payee for a child's past social security benefits.

The Department did not pursue this matter in superior court after this time because the Department was confident that this matter would be taken care of within the Social Security Administration.

After the Office of Appeals Council issued its decision in June 1995, the Department did not pursue action with the Social Security Administration to become representative payee because Daniel would soon be turning 18 years old.

If a circumstance occurs where the Department is not designated representative payee by the Social Security Administration for a child in foster care, the Department would not pursue any legal action to force the private representative payee to remit the social

security monies received to the Department for the cost of the child's care.

The Department has offered to return those social security benefits that were received for Daniel because of the existence of the order that appointed the guardian, even though DSHS was never served a certified copy of the order as required by RCW 74.13.060(5).

//s//

Richard J. Anderson

SUBSCRIBED AND SWORN to before me this 24th day of July, 1997.

//s//

Notary Public and for Washington.
My Commission expires: 9/19/2000.

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF OKANOGAN

IN RE: GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED, Plaintiff, v. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Defendant.	NO. 96-2-00157-2 AFFIDAVIT OF RICHARD J. ANDERSON

STATE OF WASHINGTON)
: ss.
County of Thurston)

RICHARD J. ANDERSON, being first duly sworn on oath, deposes and says:

My name is Richard J. Anderson. I am the Office Chief for the Office of Federal Funding in the Division of Program and Policy for the Children's Administration (CA) in the Department of Social and Health Services (DSHS). Part of my responsibility is

to oversee the administration's participation in Federal Programs that provide financing for the services that CA provides to the public. These federal funds are used when children are voluntarily placed in foster care or when a court determines a child to be dependent and is then placed in foster care by the Division of Children and Family Services (DCFS, also part of the Children's Administration). Approximately 75% of the children in the custody of DSHS are placed in licensed foster homes or licensed group homes. Most of the other 25% are placed with relatives and foster care is not paid by the State of Washington but rather by the relatives. DSHS does not apply to become the representative payee for these foster children in relative placement.

Federal funds are used to pay for a portion of foster care payments to licensed foster homes and licensed group homes. During 1995-1997 biennium approximately $137.8 million was spent on payments to licensed foster care homes and group homes. Approximately $34.4 million of this total budget, or about 25%, was from federal sources. (One of these federal sources CEAP or Title IV-A emergency assistance is no longer available because of welfare reform, so the current percentage of federal funds is somewhat less than 25%). Of these federal monies, $13.4 million of the federal funds is from the Title IV-E program. Federal policy requires that the state use Title II benefits to credit the state and federal share of foster care payments.

To my knowledge, when Daniel Keffeler was appointed a guardian in December 1990, the

Department did not receive certified copies of the guardianship papers.

//s//

RICHARD J. ANDERSON
SUBSCRIBED AND SWORN TO before me this 17th day of September, 1997.

//s//

NOTARY PUBLIC in and for the State of Washington. My commission expires: 11-19-89

SUPERIOR COURT OF WASHINGTON FOR OKANOGAN COUNTY

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, GUARDIAN, AND OTHER PERSONS SIMILARLY SITUATED, and DANNY KEFFELER, an individual. Plaintiffs, vs. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES AND DEPARTMENT OF LICENSING, Defendant. and LYLE QUASIM, Director of the Department of Social and Health Services, and MICHAEL R. HOBBS, Program Manager for Social Security Income Department and Social and Health Services Department of Children and Family Services, Additional Defendants.	No. 96-2-00157-2 FIRST AMENDED COMPLAINT

COMES NOW the above named Estate of Danny Keffeler, by and through its Guardian Wanda Pierce, acting through their co-counsel Rodney Reinbold, of REINBOLD and GARDNER, P.O. Box 751, Okanogan, Washington 98840 and Richard B. Price of RICHARD B. PRICE, P.S., INC., P.O. Box 1687, Omak, Washington 98841, on their own behalf and on behalf of all other persons similarly situated, and for cause of action against the Defendant, State of Washington asserts and alleges as follows:

I.

JURISDICTION AND VENUE

1.1 Jurisdiction. Superior Courts are invested with authority to resolve claims for injunctive relief.

1.2 Venue. The Plaintiffs are residents of the County of Okanogan, State of Washington such that venue in the above-entitled Court is proper.

II.

PARTIES

2.1 Plaintiff Representative Guardianship Estate. Daniel Mark Keffeler was born July 24, 1978. His social security number is 535-92-6777. Danny Keffeler's mother was Mary Lou Pierce, who died September 28, 1990 in an automobile accident. Daniel Mark Keffeler was declared a dependent of the State of Washington by the Okanogan County Superior Court on February 6, 1991, Cause No. 91-7-000609. On December 18, 1990 an order was entered appointing Wanda Pierce, who is Danny Keffeler's

grandmother, to be the Guardian of the Estate of Danny Keffeler in Okanogan County Superior Court Cause No. 90-4-00088-4. Wanda Pierce has since served as Danny Keffeler's guardian and brings this action against the State of Washington on his behalf individually and on behalf of all other persons similarly situated.

2.2. Plaintiff Putative Class Members. The members of the Plaintiff Class include all children in the State of Washington receiving social security benefits, whose benefits were or continue to be appropriated by the State to offset expenses for the child's care.

2.3 Defendant State of Washington. The State of Washington Department of Social and Health Services is a Defendant as to the claims hereinafter recited, and subject to the jurisdiction of the above entitled court.

2.4 Defendant Lyle Quasim. Lyle Quasim is the Director of the Department of Social and Health Services for the State of Washington.

2.5 Defendant, Michael R. Hobbs. Michael R. Hobbs is the Program Manager for the Department of Children and Family Services, Social Security Income Division.

III.

PROPERTY OF CLASS ACTION PROSECUTION

3.1 Class Action Prerequisite Compliance – CR 23(a). This is a class action seeking equitable relief, including injunctive relief, and ancillary monetary relief and reimbursement to those putative

class members who have suffered wrongful appropriation of protected Federal monetary benefits set forth above. Accordingly, Plaintiff seeks on behalf of her ward and on behalf of others similarly situated, an (1) injunction enjoining the State of Washington from charging and collecting monies from the Plaintiffs federally protected social security benefits; (2) creation of a fund to reimburse class members for all funds wrongfully collected; (3) and for costs and reasonable attorneys' fees.

3.2 Impracticality of Joining All Members of the Class as Parties Due to the Size of the Class – CR 23(a)(1). The exact number of persons similarly situated to Plaintiffs are now unknown but presumably believed to be in the hundreds or thousands. The exact number of persons may be identified from Defendants' records, and such persons can be identified with particularity through appropriate judicial discovery procedures, such that it would be possible to give such persons and/or entities actual notice of these proceedings if required. The class, as denominated in this Complaint, satisfies Civil Rule 23(a)(1) requiring that the number of putative class members be such that it renders joinder impractical.

3.3 Existence of Questions of Law and Fact to the Class – CR 23(a)(2). There exist questions of law and fact, common to the Plaintiffs' claim and the claims of the putative class members. The factual and legal issues connected with the claims for class relief all relate to the conduct of the Defendant, State of Washington.

3.4 Questions of Law and fact Common to Plaintiffs and All Members of the Putative Class. Questions include, but are not limited to:

A. Whether Defendant's practice of billing and collecting monies from the Plaintiffs federally protected social security benefits to offset costs which the State is required by law to pay violate the Plaintiffs civil rights, constitutional rights, statutory protection and is wrongful of common law;

B. Whether Defendant's acts alleged in this Complaint are the proper subject for injunctive relief.

3.5 Claims of the Representative Parties are Typical of Claims of the Class – CR 23(a)(3). The claims of the representative are similar to all other putative class members in that the Plaintiff has been wrongfully charged and deprived of property in violation of the law the same as or similar to all other putative Plaintiffs. The representatives of the class will continue to be subjected to unlawful charges and deprivation of property without redress.

3.6 Plaintiffs' Action for Class Relief. Plaintiffs' action for class relief does not raise antagonistic interests among putative class members, as all the major issues are common to all class members and all class members have an interest in obtaining the same relief. The obtaining of relief by one class member will not unreasonably detract from or jeopardize other class members' interests.

3.7 Adequate Representative – Civil Rule 23(a)(4). The Plaintiff representative comes before

this Court in the same capacity as any other litigant seeking redress without regard to their race, religion or financial status. The adequacy of Plaintiff's representation depends upon the capacity of their legal counsel to adequately prosecute the case. Plaintiffs' counsel are experienced trial attorneys, one of whom has considerable experience in class action litigation, having successfully prosecuted numerous class action cases. Plaintiffs' counsel have the necessary skills, expertise and competency to adequately represent the Plaintiffs' interest and those of the class. The Plaintiff representative is ready and willing to bring this action in a representative capacity on behalf of and for the protection of the putative class.

3.8 Class Action Maintenance Pursuant to CR 23(b). The Plaintiffs' claims satisfy the conditions of Civil Rule 23 (b) (1), (2) and (3).

A. CR 23 (b) (1) (A) and (B). The prosecution of separate actions by individual members of the class would create a risk of inconsistent or varying adjudications which would establish incompatible standards of conduct for the Defendant and would also create the risk of adjudication with respect to individual members of the class, which would, as a practical matter, be dispositive of the interests of other parties not parties to the adjudication.

B. CR 23 (b) (2). The Defendant has acted on grounds generally applicable to all putative class members, making final injunctive relief appropriate with respect to the class as a whole. Specifically, the Defendant has acted on grounds

generally applicable to the class by imposing and implementing a uniform policy of charging and collecting monies from minor social security recipients to offset the cots of their care for which the Sate is legally obligated to pay without wrongfully appropriating federally protected benefit payments. Defendant's uniform conduct has and will continue to, unless abated, affect every putative class member alike, thereby making appropriate final mandatory injunctive relief pursuant to Civil Rule 23 (b) (2).

C. CR 23 (b) (3). Alternatively, the resolution of the limited legal and factual questions pertaining to the putative class members predominates over any questions affecting only individual members, such that the prosecution as a class action is superior to other available methods for the fair and efficient adjudication of this controversy. In this regard, there should be little, if any, interest in individual members of the class controlling the prosecution of a separate action for this relief, since the relief sought is to (1) require reimbursement for wrongful appropriation of federally protected social security benefits; and (2) enjoin future wrongful conduct; and (3) eliminate the practice of wrongful charges. This action is a superior method in preventing future economic and pecuniary loss to hundreds and possibly thousands of Washington minor citizens. The class will benefit from redress from the ongoing action, which if left to hundreds of individual actions could greatly congest the Superior Courts of this State. Any difficulties which may be encountered in this action will be slight compared to the impracticality of having several hundred individual members of the putative class bringing

individual actions and thereby unnecessarily burden the courts throughout the State of Washington. This class litigation is a fair, efficient and expeditious vehicle for providing redress to both unnamed and named Plaint9iffs and to as yet unidentified class members. This action is superior to any other available method for the fair and efficient adjudication of the controversy. The conditions of Civil Rules 23 (b) (3) are satisfied.

IV.
CLAIM AGAINST STATE OF WASHINGTON GRAVAMEN OF PLAINTIFFS COMPLAINT

4.1 Danny Keffeler's Mother, Mary Lou Pierce, was killed in an automobile accident on September 28, 1990. She was survived by her son Danny Keffeler who qualified for child's benefits pursuant to Mary Lou Pierce's social security account. This benefit was an earned benefit and not a benefit under the Social Security Insurance program.

4.2 The Social Security Administration appointed Danny Keffeler's grandmother, Wanda Pierce, who was serving as guardian of his estate as representative payee, to receive and disburse his social security check.

4.3 Following the death of Mary Lou Pierce, Danny Keffeler was placed in foster care, which care was financed by the Washington State Department of Social and Health Services.

4.4 Pursuant to a uniform policy adopted and employed by the State of Washington, which policy is applied to all foster care children who receive social

security benefits under like circumstances, the State of Washington applied to the Social Security Administration to become the protective payee for Danny Keffeler.

4.5 On April 20, 1991 the Social Security Administration made a determination to appoint the State of Washington Department of Social and Health Services (DSHS) Trust Fund Unit to become the representative payee for Danny Keffeler.

4.6 As a result of the State's being appointed, it commenced receiving Danny Keffeler's social security benefit payments and paid the benefit to the State of Washington as remuneration for providing foster care.

4.7 From August 20, 1991 until July 16, 1993 the State of Washington did not remit any money whatever to Danny Keffeler, and, instead, paid his social security benefits to itself, pursuant to its uniform policy, to mitigate the cost of the foster care it was legally required to provide.

4.8 As a result of the State's action and uniform policy, Plaintiff was wrongfully deprived of federal benefits protected by law, 42 USC 407, from appropriation by the State or otherwise, in violation of the U.S. Constitution, Article 6. This deprivation was imposed upon his estate by the State of Washington which was recklessly indifferent to the law.

4.9 On April 26, 1991, Rodney M. Reinbold, acting as the attorney for Wanda Pierce, Guardian for the Danny Keffeler Estate, objected to the State's unauthorized payments to itself. This objection

ripened into an appeal to the Social Security Administration Office of Hearings and Appeals.

4.10 On July 16, 1993 Administrative Law Judge John R. Hood reinstated Wanda Pierce as the representative payee for said Plaintiff.

4.11 The State of Washington has pursued and continues to pursue a relentless campaign to obtain Danny Keffeler's social security benefits in violation of the federal law protecting said benefits.

4.12 In pursuit of the State's wrongful campaign, the State of Washington:

A. Filed a motion for order to show cause in Okanogan County Superior Court Cause No. 90-4-00088-4 seeking:

(1) To remove Wanda Pierce as Danny Keffeler's guardian because she refused to turn over Danny Keffeler's protected social security benefits to the State of Washington; and

(2) For an order requiring the Guardian to give over Danny Keffeler's social security payments to its Trust Unit; and

(3) That the State's Trust Unit be substituted as Guardian for Danny Keffeler so that the money could be appropriated by the State of Washington.

B. Improperly filed a claim in the Danny Keffeler estate for the purpose of requiring the Estate to pay for Danny Keffeler's support from his social security benefits, in direct derogation of the Federal Law as codified in 42 USC 407 and as interpreted by the United States Supreme Court in

Philpott v. Essex County Board, 409 US 413, 34 L. Ed. 2d 608, 93 S. Ct. 590 (1972); *Bennett vs. Arkansas*, 485 US 395, 99 L. Ed. 2d 455, 108 S Ct 1204 (1988); *Brinkman vs. Rahm*, 878 F.2d 263 (1989).

C. At some time before March 12, 1994 the State filed a further application to become the protective payee for Danny Keffeler, which application was granted on March 12, 1994. After that date no further money was received by Danny Keffeler from his mother's social security benefits until after his further successful appeal.

D. Without notice to the Guardian, or her attorney, or to any other person, the State of Washington filed a Notice of Appeal to the Appeals Council, Office of Hearings and Appeals in Falls Church, Virginia, which ex parte action resulted in a remand of the entire social security case back to the Office of Hearings and Appeals in Spokane, Washington.

E. On remand Administrative Law Judge Lloyd Tunik, again determined that Danny Keffeler's grandmother should be the protective payee for Danny Keffeler.

F. As part of the remand hearing Danny Keffeler's attorney was authorized to charge $5,490 in connection with this end run attempt by the State legal proceedings.

G. The State of Washington then appealed Judge Tunik's decision to the Appeals Council in Arlington, Virginia but advises that its appeal has now been abandoned.

V.

CAUSES OF ACTION

5.1 The State of Washington, acting under color of State law, through its policy recited above, has and continues to act irrationally, invidiously and arbitrarily and capriciously, thereby violating the civil rights of the Plaintiffs, and of all other persons (foster children) similarly situated, contrary to the Civil Rights Act, 42 USC 1983. Robinson v. Seattle, 119 Wn. 2d 34 (1994).

5.2 The State of Washington has acted and continues to violate the civil rights of plaintiffs because it is the practice of the Sate of Washington to cause the DSHS Trust fund unit to become the representative payee for plaintiffs without notifying them that said unit will confiscate the children's social security benefit, and without notification that the regulations of the Social Security Administration creates a preference for other adult representative payees who cannot be compelled to pay the benefit to the State of Washington.

5.3 The State of Washington violates the fourteenth Amendment to the United States Constitution because its policy of confiscating the social security benefits while acting as the protective payee for plaintiffs discriminates, without a rational basis against the class of children who do not have a private representative payee.

5.4 The State of Washington maliciously, recklessly and wantonly is invading federally protected funds for its own improper advantage, to

the detriment of Plaintiff and all other foster children's financial and emotional well-being.

VI.

CLAIM AGAINST ADDITIONAL PARTIES DEFENDANT ALLEGATIONS AGAINST STATE INCORPORATED

6.1 The Plaintiffs reallege each and every allegation contained in the claim against the State.

VII.

7.1 The Plaintiffs do additionally allege that the above named Additional Defendants, violated the Plaintiff's federal rights contrary to 42 USC 1983 in by engaging in the following conduct:

7.1.1 The Defendants have caused the Washington State Department of Social and Health Services Trust fund Unit, as a matter of regular course and policy, to apply to become the representative payee for foster children who are entitled to receive Social security benefits.

7.1.2 The Defendants did further cause the DSHS Trust Fund Unit, acting as representative payee for said foster children, to pay the social security benefit to the State of Washington, to repay the State's cost of providing foster care to said foster children.

7.1.3 The Defendant, Michael R. Hobbs did further undertake to cause the removal of Wanda Pierce as the representative payee of Danny Keffeler in legal proceedings before the Social Security Administration, and did also undertake to cause her removal as Guardian for the Estate of Danny

Keffeler in proceedings before the Superior Court of Washington on the ground that Wanda Pierce refused to pay Danny Keffeler's social security benefits to the State of Washington to reimburse the cost of foster care.

VIII.

ACTIONS OF DEFENDANTS VIOLATED PLAINTIFFS' FEDERAL RIGHTS

8.1 The aforesaid policy and actions violated the laws of the United States Government as follows:

8.1.1 The aforesaid actions each violated 42 USC 407, a federal statute designed to place social security benefits beyond the reach of beneficiaries' creditors; and

8.1.2 The aforesaid actions of the Defendants violated the 14th Amendment to the United States Constitution, because it was the practice of the Defendants to cause DSHS Trust fund Unit to become the representative payee for the foster children without notifying them that said unit would confiscate the children's Social security benefit, and without notifying them that the regulations of the Social Security Administration created a preference for other adult representative payees who could not be required to pay the benefit to the State.

8.1.3 The actions of said Defendants violated the 14th Amendment to the United States Constitution because the Defendant's policy, as alleged herein, caused a discrimination, without a rational basis, against the class of children who did not have a private representative payee.

8.1.4 The attempts to remove Wanda Pierce as Danny Keffeler's representative payee and as Guardian for his estate for the reason that she would not pay his social security benefit over to the State of Washington violated the provisions of 42 USC 407.

8.1.5 The actions of the Defendants in filing a creditor's claim against the estate of Danny Keffeler constituted a violation of 42 USC 407.

IX.

THE ACTIONS VIOLATED THE CIVIL RIGHTS ACT 42 USC 1983

9.1 The aforesaid actions of the Defendants were actions taken by then under color of state law, and in particular WAC 388-70-069 and RCW 74.13.060. The aforesaid actions of the Defendants were actions which violated rights protected by the Statues and constitution of the United States.

9.2 That the Defendants and each of them have maliciously, recklessly, wantonly, or knowingly invaded the federally protected rights for the improper advantage of their employer, the State of Washington, to the detriment of the Plaintiff and to all other foster children's financial and emotional well being.

9.3 The Defendant's actions have invidiously discriminated against the class of citizens of the United States least able to protect themselves, i.e., children in foster care who have no adult person willing or able to protect their social security benefit.

9.4 The Defendants actions have caused a knowing taking of Plaintiff's property without due process of law.

X.

DAMAGE

10.1 The Plaintiffs have been damaged in that they have been deprived of their social security benefits and are entitled to a judgment restoring said benefit plus interest.

10.2 Danny Keffeler and the Plaintiff class have incurred fees and costs in an effort to protect their federally protected benefit.

10.3 Because the children's social security benefit is necessary for their emotional and psychological development, the damage caused to the Plaintiff's class is irreparable and subject to injunction.

XI.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff prays for a judgment against the Additional Defendants as follows:

1. For a permanent injunction enjoining the State of Washington and its agents from taking any further action whatsoever to invade the federally protected social security funds of the Plaintiff and children similarly situated; and

2. For a judgment against the State of Washington for establishment of a fund for the amount of all federally protected funds it has collected from Plaintiff and all other persons

similarly situated to be disbursed to the Plaintiff and class members as directed by the Court; and

3. For appointment of a single guardian for all class members as to that portion of their estate constituting Title II and Title XVI social security benefits to receive and distribute further social security benefits in the best interest of the foster children; and

4. In the alternative, to enjoin the State of Washington and Additional Defendants from conspiring to cause the Department of Social and Health Services Trust Fund Unit to apply to be appointed representative payee for foster children or others receiving social security benefits pursuant to Title II and Title XVI without further notification to foster children and any persons designated by 20 CFR 404.21 that:

(a) The sole purpose for the State applying is to seize and pay the social security benefits to itself as reimbursement for foster care payments it is making on behalf of the child; and

(b) If any of the category of persons designated in 20 CFR 404.21 (a) (1)-(5) and (b) (1)-(6) are appointed the child's social security benefits will not be taken away from him/her by the State; and

(c) If a guardian is appointed for the child the social security benefits will not be take away by the State; and

(d) If the child wants to object to the State being appointed and have another person

appointed or a guardian appointed that he/she may object by mailing the enclosed form in the self-addressed envelope to the State on or before the expiration of 30 days; and

(e) If the social security beneficiary, friend, representative or relative objects the State will file a petition in Superior Court to seek a determination of whether or not a guardian should be appointed for the estate of the child with respect to Title II or Title XVI social security funds.

5. For an order enjoining the State of Washington and Additional Defendants from seeking the removal or private representative payees; and

6. For an order enjoining the State of Washington from taking any measures to force guardians or representative payees to repay the cost of foster care to the State of Washington; and

7. For Plaintiff's reasonable attorney's fees and costs incurred in this action; and

8. For augmentation of attorney's fees pursuant to the appropriate Lode Star multiplier; and

9. For such other and further relief as to the court shall seem just, equitable and proper.

DATED this 17 day of October, 1997.

REINBOLD and GARDNER

By:_____ //s//
Rodney Reinbold, WSBA #4656
Co-Counsel for Plaintiffs

SUPERIOR COURT OF WASHINGTON
OKANOGAN COUNTY

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, Guardian, and other persons similarly situated, Plaintiffs, vs. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Defendant. And LYLE QUASIM, DIRECTOR OF THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES, AND MICHAEL R. HOBBS, PROGRAM MANAGER FOR DEPARTMENT OF SOCIAL AND HEALTH SERVICES DEPARTMENT, Additional Defendants.	Okanogan County No. 96-2-00157-2 SUPREME COURT NO: 57680-1 AFFIDAVIT OF LINDA GIL

STATE OF WASHINGTON)
: ss.
County of Thurston)

LINDA GIL, being first duly sworn on oath, deposes and says:

1. My name is Linda Gil. I make this

affidavit in response to paragraph 2a, 2b, and 2c of the Supreme Court's Order on Remand, to explain the services provided by the Division of Developmental Disabilities regarding the children under its care who are receiving social security benefits.

2. I am the Program Manager of the Voluntary Placement/Foster Care Program, in the Olympia Office of the Division of Developmental Disabilities (DDD) within the Department of Social and Health Services (DSHS). As Program Manager, I am responsible for the design and management of the Voluntary Placement/Foster Care statewide program that is implemented in each of the six geographic regions.

3. The Division of Developmental Disabilities (DDD) has responsibility for managing the out-of-home placement for the individuals who receive our services through this program. Currently, under RCW 74.13.350, there are 567 individuals, under the age of 21, in the DDD Voluntary Placement/Foster Care Program. These individuals, if under 18, are in the legal custody of their birth/adoptive parents or have a legal guardian. If they are over 18, they may have a guardian or may be an emancipated adult. Of the 567 individuals under care of DDD, 303 of them are receiving either Title II (SSA) disability benefits under the Social Security Act or Title XVI (SSI) benefits under the Social Security Act.

4. Until July 1999, DSHS served as representative payee for many of the children within DDD receiving social security benefits. Some children within the Voluntary Placement program

within DDD remai. with their parents or guardians; in those cases, the parents or guardian served as the child's representative payee, and continue to do so.

5. Beginning July 1999, DSHS no longer serves as representative payee for foster children within the DDD program. This is because children with developmental disabilities were transferred from the care under the Children's Administration to care provided by DDD; the transfer of the DDD children was completed in October 1998. DSHS continued to serve as representative payee until July 1999. However, since DDD does not have an SSI unit, like Children's Administration, DDD did not want to serve as the child's representative payee. Rather, private agencies and individuals apply to the Social Security Administration to serve as representative payee for most of these foster children. DSHS may still serve as representative payee in some cases where the new representative payee is not yet in place. Some individuals may not have finalized their new representative payee and DSHS may still serve as their representative payee. The intention is to have all individuals in the Voluntary Placement Program, who formerly had DSHS as a representative payee, now have another individual or agency serve that function.

6. When a birth/adoptive parent or legal guardian requests out-of-home placement for their child through the Voluntary Placement program, the child's social worker will provide the parent or guardian a list of agencies or entities who have been approved by the Social Security Administration to serve as representative payee in that area. The

parent then chooses which agency or entity he/she would like to have as representative payee for the child.

7. The private representative payee then completes all of the necessary work to change the representative payee from the parents, or DSHS, to another designated agency or individual. The Social Security Administration will then designate that agency or entity as representative payee for that child.

8. Once a representative payee has been appointed, the child's social worker will work with the agency or individual to advise them of the cost of the room and board for the child. The social security benefits are then sent directly to the agency or individual serving as representative payee.

9. The private representative payee establishes an account for the individual receiving the benefits. The private representative payee sends the foster parent or group provider a monthly check for the purpose of reimbursing the provider for the costs of room and board for the individual in foster care or group care facility.

10. Most of the child's social security benefits are used by the private representative payee for the cost of the child's room and board, with the exception of an administrative fee of $25.00, which is authorized under the Social Security Act to be paid to the representative payee. The agency also remits into the individual's account an amount of approximately $38 toward "CPI" which is considered "care, personal and incidentals."

11. If the social security benefits do not cover the cost of care for the child, DDD pays the foster parents or group home the difference between the social security benefits and the amount the provider is allowed for room and board. If the social security benefits exceeded the amount it costs to care for the child, the agency or individual representative payee will conserve and invest the remaining social security benefits into the individual's account.

12. When the money in the account reaches the amount of $2,000, the foster parent or group home operator/provider is notified that the provider must keep benefits from accumulating beyond $2,000. These expenditures must be for the goods and services for that individual only and must accompany the individual if the individual leaves the foster care provider and goes into care with another provider

13. To give an example of the process, for a child under the age of five years, the average cost of room and board is $258.00 per month. If the private representative payee received $200.00 a month in social security benefits on behalf of a child's social security benefits, the private representative payee would send $175.00, (which excludes the $25.00 administrative fee) to the foster parents or group home to cover the cost of the child's care. DSHS would then send $83.00 to the foster parents or group home to cover the difference in the cost of care.

14. From my experience in the seven months that DDD has worked with private representative payees, the private agencies and individuals serving as a child's representative payee have consistently

used the child's social security benefits only towards the cost of the child's care. The agency representative payee withholds only the allowable $25 for management of the account.

15. If the representative payee does not send the child's social security benefits to the foster parent or group home, DDD would contact the representative payee to discuss the issue and would repo[illegible] them to the Social Security Administration.

//s//

LINDA GIL
Division of Developmental Disabilities
PO Box 45310
Olympia, WA 98504
(360) 902-8440.

SUBSCRIBED AND SWORN TO before me this 13th day of January 2000.

//s//

Sandra Hintz
NOTARY PUBLIC in and for the State of Washington. My commission expires: 6/1/00

SUPERIOR COURT OF WASHINGTON
OKANOGAN COUNTY

GUARDIANSHIP ESTATE OF DANNY KEFFELER, BY WANDA PIERCE, Guardian, and other persons similarly situated, Plaintiffs, vs. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Defendant. And LYLE QUASIM, DIRECTOR OF THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES, AND MICHAEL R. HOBBS, PROGRAM MANAGER FOR DEPARTMENT AND SOCIAL AND HEALTH SERVICES, Additional Defendants.	No. 96-2-00157-2 SUPREME COURT No. 67680-1 AFFIDAVIT OF ALAN RHOTEN

STATE OF WASHINGTON)
: ss.
County of Thurston)

ALAN RHOTEN, being first duly sworn on oath, deposes and says:

1. My name is Alan Rhoten. I am the ACES/CAMIS Coordinator in the Headquarters of the Division of Child Support (DCS) in the Department of Social and Health Services (DSHS). DCS Headquarters is located at 712 Pear St. SE, Olympia WA 98507. ACES is the Automated Client Eligibility System. It is used by DSHS to manage public assistance programs. CAMIS is the Case and Management Information System. It is used by the DSHS Children's Administration (CA) to manage the child welfare program, including foster care.

2. DCS (formerly the Office of Support Enforcement or OSE) is the division within the DSHS Economic Services Administration (ESA) responsible for administering the State of Washington's child support enforcement program in accordance with Title IV-D of the Social Security Act and other federal and state laws. As the ACES/CAMIS Coordinator, I am responsible for child support issues relating to the State's public assistance and foster care programs. I have personal knowledge of how DCS accounts for parental child support paid to DCS in general, with a particular expertise when the child is a foster child. I make this affidavit in response to paragraph 6 of the trial court's Scheduling Order on Proceedings on Remand from Supreme Court, to explain the services performed by the Division of Child Support regarding collection and distribution of parental child support when a child is in foster care.

3. A child's parent(s) are responsible for the payment of child support when their child is in foster care. DCS is responsible for enforcing parental child

support obligations for children in foster care. Child support payments collected by DCS are disbursed based on complex state and federal laws. The federal regulations governing the distribution of child support collected in foster care cases are 45 CFR 302.51 and 45 CFR 305.52. I reviewed these regulations to assist me in preparing this affidavit. DCS must determine how support collected for children in foster care is to be distributed in accordance with these rules.

4. Each month, Children's Administration (CA) prepares a list of reimbursable foster care expenses for each child in foster care. The federal government defines reimbursable foster care expenses as foster care maintenance payments provided by the State. CA determines whether a specific foster care service payment is for maintenance or for some other purpose. DCS compares this list to the amount of child support collected for each child in order to determine how those collections are to be distributed.

5. When DCS collects a support payment for a child in foster care, it first determines how the payment will be applied to the child's case. A payment is first used to satisfy the parent's support obligation for the month in which the payment is collected (current support). Child support collected as current support is to be retained by the State to offset that month's reimbursable foster care expenses. If moneys collected as current support exceed that month's reimbursable foster care expenses, the excess is to be sent to the DSHS Office of Accounting Services (OAS) as a Distribution Over

Expenditure (DOE) payment and deposited into a trust fund account.

6. If current support is not owed for the month in which the support payment is collected, or if current support has already been paid for that month, DCS applies the payment towards prior foster care months during which the parent did not meet their support obligation. DCS refers to unpaid child support from prior months as arrears. Unlike current support, which is compared to one month's reimbursable foster care expenses, child support collected to repay arrears is to be retained by the State to offset total reimbursable foster care expenses. If moneys collected as arrears exceed total reimbursable foster care expenses, the excess is to be retained by the State to offset total TANF payments provided by the State. If moneys collected as arrears exceed total TANF payments, the excess is to be sent to OAS as a DOE payment.

7. Once a DOE payment is part of the child's trust fund it is administered by OAS and follows the same rules as any other monies deposited there, including being refunded per RCW 74.13.060(4). During 1999, DCS sent an average of 19 DOE payments to OAS each month. The average DOE payment was for $96.61.

8. DCS identifies children who receive both child support and Title XVI payments. Each month, DCS compares a list of children receiving Title XVI benefits, which is provided to DCS by the Office of Accounting Services, to a list of children DCS collected child support payments for. Any child

appearing on both lists is included in a report that DCS submits to Children's Administration.

9. Each quarter, DCS provides to the federal government a report which shows all of the support collected for children in state funded foster care as well as those whose case is jointly funded under Title IV-E by the state and federal government. Based on that quarterly report, DCS reimburses the federal government its proportionate share of child support collected for those children whose foster care was paid using Title IV-E funds.

10. Paragraph 7 of the trial court's Scheduling Order requests that DSHS provide 50 randomly chosen foster care accounts for children receiving social security payments. That paragraph further requires that those randomly selected accountings shall include at least five children who also receive parental child support payments. I have compared the 50 random cases identified by the Trust Fund Unit with DCS child support records to determine whether child support was collected. I found that child support was collected in 19 of those 50 cases. The names of the children for whom child support was collected are:

Calee Anderson	Tracey A. Lacourse
Thomas Bakkon	Scott R. Lemiere
Aisha A. Breaux	Sam A. Manning
Jonathan E. Cathey	Samantha Maurath
William Dippert	Ryan A. O'Connor
Latasha N. Enoch	Brandon A. Phillips
Jon C. Hartell	Elbert Pruett
Rachel A. Hernandez	Justin J. Reynolds

Kyle S. Hontz Anitra A. Wiley
Danetta M. Hutchinson

//s//

ALAN RHOTEN
SUBSCRIBED AND SWORN TO before me this 14th day of January 2000.

//s//

Sandra Hintz
NOTARY PUBLIC in and for the State of Washington. My commission expires: 6/1/00

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF OKANOGAN

GUARDIANSHIP ESTATE OF DANNY KEFFELER, by WANDA PIERCE, Guardian, and other persons similarly situated, Plaintiffs, v. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Defendant, And LYLE QUASIM, DIRECTOR OF THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES; AND MICHAEL R. HOBBS, PROGRAM MANAGER FOR DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Additional Defendants.	NO. 96-2-00157-2 SUPREME COURT NO. 67680-1 AFFIDAVIT OF KAREN KEGLEY JUSTINEN

STATE OF WASHINGTON)
) ss.
County of Thurston)

KAREN KEGLEY JUSTINEN, being first duly sworn on oath, deposes and says:

1. My name is Karen Kegley Justinen. I am the Supervisor in the Trust Fund Unit, Division of Finance, in the Department of Social and Health Services (DSHS). The DSHS Finance Division Trust Fund Unit was established under the authority of RCW 74.13.060, which designates the Secretary of DSHS as custodian of funds for persons placed with the DSHS.

2. When the Secretary of DSHS is appointed by the Social Security Administration to serve as representative payee, the Trust Fund Unit is responsible for the accounting of all Social Security and Supplemental Security Income benefits. The Trust Fund Unit is also responsible for the accounting of other monies received (Veterans Administration, Railroad Retirement, Excess Child Support Payments, etc.) for children placed under the care of the DSHS. As Supervisor, I am responsible for the financial management and operation of the Trust Fund Unit.

3. Paragraph 2c of the Supreme Courts' Order on Remand (paragraph 3(c) of the trial courts' Scheduling Order) requests that DSHS provide the number of foster children in the State's custody, pursuant to RCW 74.13. There are approximately 1,411 children in foster care, as of September 1999, who are receiving social security benefits and for whom the Social Security Administration has appointed the Secretary of DSHS as their representative payee. Of these 1,411 children for whom DSHS serves as representative payee, approximately 1,325 of them are in foster care with the Children's Administration. The remain-ing 86 children are placed by the Division of Developmental Disabilities (DDD). (See Affidavit of Linda Gil.)

4. Paragraph 2d of the Supreme Court's Order on Remand (paragraph 3(d) of the trial courts' Scheduling Order) requests that DSHS provide a detailed explanation of how the State processes and uses social security payments it receives as representative payee for foster children. The Trust Fund Unit processes and uses two different types of social security benefits for the foster children in its care. Most of the foster children receive Title XVI (SSI) benefits which are benefits based on the child's disability. The remaining foster children are receiving Title II (SSA) benefits which are based on a death or disability of a parent who contributed to this social security program. Both Title II (SSA) and Title XVI (SSI) payments for foster children are recorded in the individual child's subsidiary account maintained by the DSHS Finance Division Trust Fund Unit. The actual payments are deposited to a Foster Care Trust Fund Account at the State Treasurer's Office, except for retroactive SSI payments (over 6 times the monthly benefit amount).

5. Paragraph 2d(i) of the Supreme Court's Order on Remand (paragraph 3(d)(i) of the trial court's Scheduling Order) asks whether the State maintains individual accounts for foster children. Yes. The DSHS Trust Fund Unit maintains an individual account for each of the 1,411 children referenced in paragraph 4.

6. Retroactive SSI payments (over 6 times the monthly benefit amount) are subject to different rules and are accounted for differently. They are deposited by the Social Security Administration directly to an interest-bearing Dedicated Account at a local bank. Payments deposited to this account and the interest earned are credited to the individual

child's subsidiary account maintained by the DSHS Finance Division Trust Fund Unit. Dedicated Account funds are not used to provide basic foster care services. Rather, they can only be used for permitted expenditures of special needs, primarily those relating to the child's impairment. Attached as Exhibit A is the Trust Fund Unit's guidelines for the management of dedicated funds.

7. Paragraph 2d(iii) of the Supreme Court's Order on Remand (paragraph 3(d)(iii) of the trial court's Scheduling Order) requests that DSHS explain whether, and how, social security payments the State receives as representative payee are "passed-through" to the foster parents of the beneficiary children. This paragraph (8), paragraphs 9, and 10 respond to this request. If the social security benefits received by the Trust Fund Unit are not part of the Dedicated Account, the child's social security benefits are usually used for basic foster care services for their out-of-home care. These basic services include food, clothing, shelter, and personal incidentals. These benefits can also be used for extra items (toys, athletic equipment, etc.) and special needs (therapy, adaptive equipment, increased supervision, nutritional supplements, etc.).

8. The way in which the Trust Fund Unit uses social security benefits to pay for a child's cost of care is as follows. Every month the Children's Administration generates a report that shows for each child in foster care the amount of money reimbursed by the Children's Administration to the care provider for the cost of that care. The Trust Fund Unit reviews the report and compares it to the child's trust fund account to determine the amount to be reimbursed for the child's foster care. In general,

if the amount in the trust fund account is adequate to reimburse the entire cost of the foster care, the entire amount is used. If the funds in the trust fund account are not adequate to reimburse the entire cost of the foster care, the Trust Fund Unit uses up to the amount available in the trust fund account. In some circumstances, the Trust Fund Unit may not use the trust fund account to pay for the cost of foster care even though funds are available to do so (see paragraph 11). The amount to be paid for foster care is transferred from the Trust Fund Unit's Foster Care Trust Fund Account to Children's Administration.

9. Upon request from the Children's Administration worker, funds are disbursed from a child's trust fund account for both extra items and special needs of the child. Examples of the most common disbursements are for computers, educational expenses, summer camp, counseling, toys, clothing, athletic equipment, orthodontics, etc. The process for disbursing a child's Social Security benefits is as follows:

A. Foster Parent and/or Children's Administration staff determine if a child needs any extra items or has any special needs.

B. Children's Administration staff submits a request for disbursement of funds to the Trust Fund Unit.

C. Trust Fund staff review the request and if it directly benefits the child and the child has available funds, the Trust Fund Unit disburses the funds. Usually a warrant is sent to the foster care provider made payable to a store or other service provider. Occasionally, warrants are sent directly to

the store or other service provider or to the foster care provider as reimbursement. See Exhibit B. If the staff is uncertain whether the request is an appropriate use of social security funds, the staff will consult with the Social Security Administration for approval. See DSHS policy, Disbursements From Trust Fund Account, attached as Exhibit C.

10. Children's Administration staff can request that child's Social Security payment(s) be used for their extra items or special needs instead of for basic foster care costs. See Exhibit D. Children's Administration staff can also request that a child's Social Security payments be conserved for a time period prior to their emancipation to allow a child to have funds available when they transition to living independently. See Exhibit E.

11. Funds not used for basic foster care costs, extra items, or special needs, are deposited into a collective interest bearing savings account at a local bank. The interest earned from this collective account is credited to each child's individual trust fund account on a monthly basis.

12. Paragraph 2d(ii) of the Supreme Court's Order on Remand (paragraph 3(d)(ii) of the trial court's Scheduling Order) requests that DSHS provide a detailed explanation of how the State administers those accounts with respect to the $2,000 limit on accumulation of the Title XVI social security payments. A child receiving SSI benefits cannot have available resources over $2,000 and remain eligible for the monthly SSI benefit. (Funds deposited to the Dedicated Account are exempt from the $2,000 resource limit.) The process to ensure a

child's trust fund account balance remains below the resource limit is as follows:

A. Every SSI account is reviewed each month by Trust Fund staff to determine if the balance is approaching the resource limit.

B. If the balance is nearing the resource limit, the Trust Fund Unit contacts Children's Administration staff notifying them of the need to spend down the child's account balance.

C. The Children's Administration staff assess what special needs of the child could be met using the excess funds and request disbursement of funds from the Trust Fund Unit.

D. If the request is an appropriate use of the child's Social Security benefits, the Trust Fund Unit disburses the funds.

13. Paragraph 2e of the Supreme Court's Order on Remand (paragraph 3(e) of the trial court's Scheduling Order) requests that DSHS provide a detailed explanation of the services DSHS provides on behalf of foster care children in its capacity as representative payee. The Trust Fund Unit provides a number of other services on behalf of the foster children. As described above, the Trust Fund Unit uses a child's social security benefits for basic foster care, extra items, and special needs, or deposits their funds into an interest bearing account maintained for the child. The Trust Fund Unit also monitors the amount of monthly payment received for the child to ensure the correct benefit amount is received from the Social Security Administration, and monitors the amount of dedicated installment payments deposited by the Social Security Administration directly into

the child's dedicated account, to ensure the correct retroactive benefit amount is received.

14. The Trust Fund Unit staff also communicates with the Social Security Administration to resolve any discrepancies regarding benefits due, overpayment amounts, etc. The Trust Fund Unit will refund, to the Social Security Administration, benefits for which the child is not entitled to.

15. The Trust Fund Unit staff also complies with strict reporting and accounting requirements. The Trust Fund Unit reports to the Social Security Administration if bal ces exceed the SSI resource limit of $2000; submits annual accountings for each child to the Social Security Administration (reporting on benefits received, used, and conserved); and submits additional account information to the Social Security Administration (interest earned, account balances, etc.) as requested. The Trust Fund Units maintains complete and individual records of each child's account for auditing purposes.

16. Furthermore, the Trust Fund Unit will forward a child's remaining balance or unused benefits to either the Social Security Administration or the new payee, when the Social Security Administration appoints a new representative payee.

17. Paragraph 6 of the trial court's Scheduling Order requests a written explanation of how DSHS accounts for and makes parental child support payments available to the child, and an explanation of how they are taken into account in the process of calculating refunds provided for by RCW 74.13.060 (4). Excess child support payments received by the Trust Fund Unit for a child are not used to

reimburse for foster care expenses. They are, however, available for any extra items or special needs for the child. The Trust Fund Unit deposits these funds in an interest bearing account. When a child leaves DSHS care, the remaining balance of funds are disbursed to the custodial parent or to the child if they are over age 18, in accordance with RCW 74.13.060(4). See Exhibit F.

18. Paragraph 7 of the trial court's Scheduling Order requests that DSHS provide 50 randomly chosen foster care accounts for children receiving social security payments. The 50 random accountings were selected from the 97/99 biennium closed trust fund accounts. These accounts were selected instead of current open cases as the accountings had already been completed for these closed cases. The total number of 97/99 closed accounts is 1,295. This number was divided by 50 (random accountings) and equaled 25.9. Every 25th case, up to 50, was selected.

19. Paragraph 2f of the Supreme Court's Order on Remand (paragraph 3(f) of the trial court's Scheduling Order) requests that DSHS identify the number of class members and how far back their claims extend. The Trust Fund Unit does not have a file or record for every foster child who has received social security benefits and for whom DSHS has served as representative payee. The accounting records available are limited to those cases closed since July 1991. The Trust Fund Unit has 7,798 records for foster children. Most of these are accounting records for which DSHS served as representative payee. Some of the records are not accounting records. For example, some records simply contain correspondence applying for social

security benefits that were denied. A final count of actual class members cannot be determined without manually reviewing each of those 7,798 records.

20. In preparing this affidavit, I relied on the Trust Fund Procedure Handbook, the listing of closed trust fund cases, the list of current trust fund cases, and individual children's records.

/s/
KAREN KEGLEY JUSTINEN
DSHS Finance Division
PO Box 45842
Olympia, WA 98504-5842
(360) 664-5800

SUBSCRIBED AND SWORN TO before me this ____ day of January, 2000.

/s/
Sandra Hintz
NOTARY PUBLIC in and for the Stateof Washington. My commission expires: 6/1/00

Exhibit A – Page 1 of 4

DEDICATED ACCOUNTS

The Personal Responsibility and Work Opportunity Reconciliation Act of 1996 requires that a payee establish and maintain a separate account for individuals under age 18 that receive past due SSI benefits that exceed the sum of 6 times the Federal benefit rate and State supplement. These funds are deposited by Social Security into a "Dedicated Account".

NOTIFICATION OF DEDICATED ACCOUNT: The Trust Fund Unit Supervisor will update client's CAMIS SSI record to indicate that a client is *due* "Dedicated Funds". Upon receipt of the first payment, client's SSI record will be updated to show the amount *received* and the date of deposit. If the client is to receive installment payments, the amounts and dates *due* will also be updated. When installment payments are *received*, client's SSI record will be updated with the amount and date of deposit.

USE OF DEDICATED FUNDS: Dedicated funds may only be used for permitted expenditures, primarily those relating to the child's impairment. Funds cannot be used for routine food, clothing, or shelter except as approved by SSA.

I. Allowed Uses

a) Medical Treatment
b) Education or Job Training

II. Allowed Uses if they Benefit Child and are Related to Child's Impairment

a) Personal Needs Assistance

b) Special Equipment
c) Housing Modification
d) Therapy or Rehabilitation

III. Other Allowed Uses if Approved by SSA

a) Special Transportation, Modified Instructional Materials
b) Special Foods/Clothes
c) Increased Electric Bills for Devices for Child
d) Special Day Care and Recreation
e) Food and Vet Care for Guide Dog
f) House Repair for Damage Done by Child
g) Payment of Past Attorney Fees

These examples are meant as a guide, not an inclusive list of items/services that could be related to a child's impairment.

DISBURSEMENT OF FUNDS:

Following are the procedures for disbursing funds:

A. Regional Coordinator submits "Dedicated Account Disbursement Request" form and purchase invoice/bill* to Trust Fund Unit Supervisor.

B. **I & II Allowed uses** – If request meets "permitted expenditures" criteria, TF disburses funds.

III Allowed uses – 1. TF Supervisor submits to Social Security for approval.

2. Social Security returns form to TF approved/disapproved.

3. TF Supervisor forwards copy to Reg. Coordinator

4. TF disburses funds for approved requests.

C. Trust Fund staff update CAMIS SSI record to note disbursement.

***Purchase invoice or bill must include a clear description of items or services to be purchased and the amounts.**

Exhibit A – Page 4 of 4

DEDICATED ACCOUNT DISBURSEMENT REQUEST

Karen Kegley Justinen, DATE: _____
Trust Fund Unit Supervisor
Fax# (360) 664-5715

FROM: _____, Region ____ Coordinator _____
signature phone #

_____, SSI Facilitator _____
signature *phone #*

****

CLIENT NAME:_____ **DOB:**_____

CAMIS ID# _____ **SSN:**_____

****

Please check one of the following:

___ I. Allowed Uses ___ II. Allowed Uses related to Impairment ___ III. Other Allowed Uses if approved by SSA

GOODS/SERVICES	AMOUNT
_____	_____
_____	_____
_____	_____
Total	$_____

Relationship to Child's Impairment/Justification for Expenditure:

_____

_____

Payee name/address: _____

_____

Exhibit B – Page 1 of 11

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME

Department of Social & Health Services
OAS/Trust Fund Unit
PO Box 9501
Olympia, WA 98507-9501

CLAIMANT

~~xxxxxxxxxxx~~—DDS, for
~~xxxxxxxxxxxxxxxxxx~~
1415 HARRISON, SUITE 202
OLYMPIA, WA 98502

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxx~~ FOR ORTHODONTIC TREATMENT.	$3,690.00	2000

Prepared By	Tele. #	Date	Agency Approval	Date
SHERYL CHOATE			//s//Karen Kegley-Justinen	9/30/98

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
10-1-98		TRU		VOD1	~~Xxxxxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$3,690.00	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$3,690.00	

Exhibit B – Page 2 of 11

From: Mike Hobbs
To: EXCHANGE.FINOAS.JUSTIKL
Date: 9/25/98 4:45pm
Subject: ~~xxxxxxxxxx~~ Orthodonture (434444)

Karen please forego reimbursement of SSI for a period of time to issue a warrant to
~~xxx xxxx~~ DDS
1415 Harrison Suite 202
Olympia, WA 98502
in the amount of $3690.00
These braces are medically indicated and are not just for cosmetic reasons. I will be sending a copy of the bill I received from Dr. ~~xxxx~~.
We are making payment in full to receive a 10% discount.

cc: HOMI300, CYFS6SHE.WOBR300, CYFS6ABE.WALO300

[the following is an attached invoice]

~~xxxxxxx~~, D.D.S., P.S. DATE __
Practice Limited to Orthodontics FAMILY NUMBER __
1415 HARRISON SUITE 202 TOTAL DUE __
OLYMPIA, WASHINGTON 98502
(360) 786-1600

AMOUNT ENCLOSED $__

TO ASSURE PROPER CREDIT TO YOUR ACCOUNT PLEASE RETURN THIS PORTION OF YOUR STATEMENT WITH PAYMENT.

ALL PAYMENTS DUE BY THE 25th OF THE MONTH

Exhibit B – Page 3 of 11

MIKE HOBBS
FEDERAL FUNDING MANAGER
REGION 6 DSFS
P.O. BOX 45714
OLYMPIA, WA. 98504-5714

AAO logo

date stamp 9-25-98

DATE	PATIENT REFERENCE	DESCRIPTION	AMOUNT
	~~xxxxxxxxxxxxx~~		
		PHASE II ORTHO TREATMENT	4100.00
		CASH DISCOUNT 10%	-410.00
		TOTAL	3690.00
		TOTAL AMOUNT DUE	

CURTIS SAPP, D.D.S., P.S. •1415 HARRISON SUITE 202 • OLYMPIA, WA 98502

Exhibit B – Page 4 of 11

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~xxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxxxxx~~

Date	Description	Amount	Agency Use
	To transfer funds from the trust fund account of ~~xxxxxxxxxxxxx~~ 7-13-80, for Christas presents, computer game, Cam-corder.	$1291.75	SSA

Prepared By	Tele. #	Date	Agency Approval	Date
//s//			//s//	1/25/93

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
1-22-93				VODO	~~xxxxxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$1291.75	Bingham

Account Approval For Payment	Date	Warrant Total	Warrant Number

Exhibit B – Page 5 of 11

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
S8 • 771 Vine• PO Box 330 • Kelso WA 98626-0026

January 7, 1993

Trust Fund Unit
PO Box 9501
Oly, WA 98504
M. S. 5842/OB24C

Dear Karen,
I went on a homevisit on January 6, 1993 to see ~~xxxxxxxx~~, the guardians of ~~xxxxxxx~~ and ~~xxxxxxx~~. While on the home-visit, the ~~xxxxxx~~ and ~~xxx~~ presented me with a list of items that they are hoping the trust-fund can pay. Please make out a check to ~~xxxxxxx xxxxxx xxxxxx xxxxx xxxxx~~ for the following items.

Christmas presents---	$85.00	
Computer game--------	$60.00	
Sonny Cam-corder----	$1146.75	
TOTAL----------	$1291.75	This is all from ~~xxxxx~~'s trust fund.

Sincerely,

/s/

Steve Wolden,
Social Worker III

Exhibit B – Page 6 of 11

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
[redacted]

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF [redacted] FOR CONTACT LENSES	$250.00	SSI

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Todd Wollen			//s//	5-26-95

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
5/25/95				VOD1		

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$250.00	GARRETT

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$250.00	

Exhibit B – Page 7 of 11

MEMORANDUM

DSHS logo

TO: Trust Fund
Karen Kegley

DATE: 5/22/95
SUBJECT: [redacted] 250.00 for Contact Lenses

FROM: Patricia Cravens

lease send the foster parent [redacted] $250.00 to purchase contact lenses for [redacted].

Exhibit B – Page 8 of 11

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~XXXXXXXXXXXXXXXXXX~~ ~~XXXXXXXXXXXX~~ ~~XXXXXXXXX~~ ~~XXXXXXXXXXXXXXX~~

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE THRUST FUND ACCOUNT OF ~~XXXXXXXXXXXXXX~~ FOR CHRISTMAS, BIRTHDAY GIFTS, AND SPENDING MONEY FOR MEXICO TRIP.	$1,500.00	SSA

Prepared By	Tele. #	Date	Agency Approval	Date
//s//			//s//	11/16/95

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
11/16/95				VOD1	~~XXXXXXX~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$1,500.00	BINGHAM

Account Approval For Payment	Date	Warrant Total	Warrant Number

Exhibit B – Page 9 of 11

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
S8-6 • 711 Vine • PO Box 330 • Kelso WA 98626-0026

November 7, 1995

Department of Social and Health Services
OAS/Trust Fund Unit
PO Box 9501
Olympia, WA 98507-9501

To Whom It May Concern,

~~XXXXXXXXXX~~ would like to access $1,500.00 dollars from his trust fund, for Christmas presents, birthdays gifts, and money for his mission trip to Mexico. I support the use of his trust money for this purpose. If you have any questions, please feel free to contact me at (360) 577-2187.

Sincerely,

/s/

Steve Wolden
Social Worker III
Sincerely, [sic]

Exhibit B – Page 10 of 11

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~xxxxxxxx~~–FOR ~~xxxxxxxxxxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxxx~~

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxxx~~ FOR SCHOOL UNIFORM.	$200.00	SSA

Prepared By	Tele. #	Date	Agency Approval	Date
//s//		8/30/94	//s//	8/30/94

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
8/30/94				VOD1	~~xxxxxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$200.00	GARRETT

Account Approval For Payment	Date	Warrant Total	Warrant Number

Exhibit B – Page 11 of 11

MEMORANDUM

DSHS logo

TO: Karen Kegley DATE: 8/26/94
Trust Fund SUBJECT: School Clothing

FROM: Patricia Cravens
Tacoma DCFS

Please send 200.00 to the foster mother to purchase special uniforms for school.

~~xxxxx xxxxxxx~~

~~xxx xxxxx xxxxx~~

~~xxxxxx xxxx~~

~~xxxxx~~

Exhibit C

DISBURSEMENTS FROM TRUST FUND ACCOUNT

- **DISBURSEMENT REQUEST:** Disbursement requests must be sent on State letterhead (by state mail or fax) and include the worker's signature and the purchase invoice or bill. The purchase invoice/bill must include a clear description of items/services to be purchased and the amounts.
- **PAYEE:** The payee must be the store or service provider. The warrant can either be mailed directly to the payee or sent to the worker or foster parent to distribute. *Upon a showing of receipts, payment can be made payable to the foster parents for reimbursement of pre-approved purchases.*
- **RECEIPTS:** Receipts from purchases must be received by the Trust Fund Unit within 3 weeks from the date warrant issued.
- **USE OF FUNDS:** Funds can be used for any goods or services that directly benefit the client. Examples include *clothing, toys, computer, summer camp, medical/dental expenses (not covered by medical coupons), educational expenses, etc.*
- **TRACKING AND DISBURSEMENT OF CLIENT BELONGINGS:** Any items purchased are the clients, and must be taken with the client if placement changes. It is the Social Worker's responsibility to ensure client belongings are properly accounted for and appropriately disbursed when client changes placement or upon their leaving care/death.
- **APPROVAL TO FOREGO REIMBURSEMENT OF COST OF CARE:** The Regional Federal Funding Coordinators (or their designated SSI Facilitator) can request the Trust Fund Unit to disburse client funds for special needs rather than reimbursing for their cost of care.

Exhibit D – Page 1 of 28

STATE OF WASHINGTON
DEPARTMENT OF SOCIAL AND HEALTH SERVICES
N56-1 • 2809 – 26th Ave S • Seattle WA 98144-6094

TO: Gail Baker
Regional Federal Funding Coordinator

FROM: Karen Fomin
SSI Facilitator

RE: Disbursement request for ~~xxxxxxxxx~~ BD 7/30/90; Camis ID 1519594

~~Xxxx~~ is in a pre-adopt home and the adoption should be finalized sometime this year. ~~Xxxx xxxx~~, preadopt mom, has requested payment for private school tuition and registration fee.

A total of $3429.00 of Title II back payments were received on 5/24/99. This would cover the cost of 9/99-6/00 school tuition and reimbursement of the 75.00 registration fee.

If we pay the total amount of the yearly tuition, there would be a 10% savings. Enclosed is the fee schedule, a letter from the Pacific Christian School and a receipt for the registration fee.

Specifically I am requesting a check of $3119.00 be sent to Pacific Christian School, P.O. Box 98600, Seattle, WA 98198 for ~~xxxxxxxxx~~'s school's tuition. Also, a 75.00 check made payable to ~~xxxxxxxxxxxxxxxxxxxxxxxxxxxxx~~.

Exhibit D – Page 2 of 28

[hand-written note]

6/2/99

Approved. The department agrees to forego reimbursement for cost of care in the amount of $3194.00 in favor of school tuition and registration fees. Funds to be disbursed as above. Thanks!

/s/Gail Baker

DCFS Region 4 Trust Fund Liaison

Exhibit D – Page 3 of 28

A-19 State of Washington REFUND REVENUE	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
PACIFIC CHRISTIAN SCHOOL for ~~XXXXXXXXXXXXXXXX~~ P.O. BOX 98600 SEATTLE, WA 98198

Date	Description	Amount	Agency Use
1519594	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~XXXXXXXXXXXXXX~~ FOR AUGUST 1999 – MAY 2000 TUITION.	$3,119.00	2000

Prepared By	Tele. #	Date	Agency Approval	Date
SHERYL CHOATE //s//			//s//	6/7/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
6-7-99		TRU		VOD1	~~XXXXXXX~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$3,119.00	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$3,119.00	

Exhibit D – Page 4 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~Xxxxxxxxxxxxxxx~~ for ~~xxxxxxxxxxxxxxxxxx~~ ~~xxxxxxxx xxxxxxx xxxxxxx~~ ~~xxxxxxxxxxxxxxxxxx~~

Date	Description	Amount	Agency Use
1519594	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxxx~~ FOR PRIVATE SCHOOL REGISTRATION FEE.	$75.00	2000

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Sheryl Choate			//s//Karen Kegley Justinen	6/7/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
6/7/99		TRU		VOD1		

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$75.00	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$75.00	

Exhibit D – Page 5 of 28

Page: 1 Document Name: untitled

READMAIL Read Mail For: CSHE300 SYSMRVW SYSMRVWM

From : KEGK300 KAREN KEGLEY JUSTINEN
Subject: ~~xxxxxxxx~~ Date: 05/12/1999 Time: 07:47AM
Copy : Forwarded: Y Read: Reply:

please handle. Thanks.

********** End of Attachment **********

Karen---The above-named child has a Trust Fund balance of only $225 or so... He has some specific needs that total approximately $1100. So, by copy of this e-mail I am stating the department agrees to forego reimbursement for cost of care in the amount of approximately $900. SSIF Dennis Hostetter will be FAXing you a request to disburse $358.00 to the Rainier Vista Boys & Girls Club, plus $409.50 to the Starbucks Center Sears, Roebuck and Co. The checks will need to be mailed to caregiver ~~xxxxxxxxxxxxxxxxxxxxxxxxx~~. Info on the additional expenditures to total the approximately $1100 will follow... Thanks! Gail Baker, DCFS Region 4 Trust Fund Liaison 5/11/99

*** END OF NOTE ***

ORIG. SENT TO : KEGK300
COPIES SENT TO : BAKG300 HODE300 BLOM300

**** Originated by: BAKG300 , GAIL BAKER *****

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A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
RAINIER VISTA BOYS & GIRLS CLUB for ~~xxxxxxx~~

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxx~~ FOR 6/21-8/20 SUMMER CAMP.	$358.00	5000

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Sheryl Choate			//s//Karen Kegley-Justinen	5/12/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
5/12/99		TRU		091053 2600 01	~~xxxxxxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$358.00	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$358.00	

Exhibit D – Page 7 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
SEARS, ROEBUCK & COMPANY for ~~xxxxxxx~~

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxx~~ FOR CLOTHING.	$409.50	5000

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Sheryl Choate			//s//Karen Kegley-Justinen	5/12/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
5-12-99		TRU		VOD1		

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$409.50	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$409.50	

Exhibit D – Page 8 of 28

Justinen, Karen

From: Bailey, Carol
Sent: Wednesday, April 07, 1999 4:02 PM
To: Justinen, Karen
Cc: Reynolds, Leola; Bailey, Carol
Subject: ~~xxxxxxxxxxxxxxx~~

Karen, Lee brought me up to speed regarding ~~xxxx~~ trust fund, the need to expend some of those accumulated funds, and the mix-up about the actual amount available. Given that the expenditure for the computer and modum was within the amount range given to the foster parents to spend, and the actual amount available has now been discovered to be less, I would like to request that we forego reimbursement for this child temporarily so that we may reimburse the foster parent in full ($1,693.92). Thanks Karen. If you need anything additional from me please let me know. Carol.

Exhibit D – Page 9 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
INCOMMAND INC. 702 N. 1st AVE YAKIMA, WA 98902

Date	Description	Amount	Agency Use
376011	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxxx~~ FOR LAPTOP COMPUTER AND MODEM.	$1,693.92	5000

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Sheryl Choate			//s//Karen Kegley-Justinen	4/5/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
4-8-99		TRU		091162 829900		

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$1,693.92	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$1,693.92	

Exhibit D – Page 10 of 28

091162829900 4/2/99

Incommand Inc.
702 N. 1st Ave.
Yakima, WA 98902
509-576-8370

date stamp 4-2-99

Laptop Quote

Gateway 150 mhz w/MMX laptop		1399.95
56K PCMCIA Fax Modem		169.95
	Subtotal	1569.90
	Tax	124.02
	Total	1693.92

Jonathan Craig /s/
Sales Manager
Courtney W. Robin /s/
Salesman/Technician

Exhibit D – Page 11 of 28

Choate, Sheryl

From: Justinen, Karen
Sent: Wednesday, September 23, 1999 1:52 PM
To: Choate, Sheryl
Subject: FW: [redacted] 25788 –Reply– Forwarded

Please handle. thanks.

From: McPhillips, Dona
Sent: Wednesday, September 23, 1998 1:41 PM
To: Justinen, Karen
Cc: Harris, Lazona; McPhillips, Dona
Subject: [redacted] 25788 -Reply -Forwarded

[envelop]

[redacted] 25788
-Reply

Please see attached supervisor approval for $75 from SSI monies to not be reimbursed for cost of care but instead sent to [redacted] foster mother for the payment of an athletic fee for football. This meets the case plan to help meet [redacted] special needs.
Please make the check to [redacted].
Thank you.

Exhibit D – Page 12 of 28

Choate, Sheryl

From: Galt, Kristy
Sent: Wednesday, September 23, 1998 11:43 AM
To: McPhillips, Dona
Subject: xxxxxxxx 25788 -Reply

REQUEST APPROVED.

>>>Dona McPhillips 09/23/98 10:43am>>>
~~xxxx~~ is on SSI and has been in a guardianship for quite a time. He behavior as he is aging has become even more difficult. He is being home-schooled as he can no longer be safe with others in the classroom. This foster parent receives Exceptional cost for that home schooling. The foster family has paid out of their pocket for many activities for ~~xxxx~~ as it is important to keep his energies channeled in positive activties. Both I and the social worker feel that is it in ~~xxxx~~'s best interest to help support these foster parents. They have asked for the Athletic fee of $75 for this year's football participation. The sw and I are both supportive of this request. We are asking for the Region not to take full reimbursement for the cost of care from his SSI monies for the month of Sept. so that the $75 fee can be paid.

Exhibit D – Page 13 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~xxxxxxxx~~ for ~~xxxxxxxxx~~ ~~xxxxxxxx~~ ~~xxxxxxxxxxxxxx~~

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxx~~ 062383, FOR FOOTBALL FEE.	$75.00	5000

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Sheryl Choate			//s//Karen Kegley-Justinen	9/24/98

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
9-24-98		TRU		VOD1	~~xxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$75.00	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$75.00	

Exhibit D – Page 14 of 28

Page: 1 Document Name: untitled

READMAIL Read Mail For: CSHE300 SYSMRVW SYSMRVWM

From : BAKG300 GAIL BAKER
Subject: ~~xxxxxx~~ Date: 01/14/1999 Time: 02:59PM
Copy : Y Forwarded: Read: Reply:

This young woman is over 18 and has left DCFS paid care. Please forward the $2,000.00 set aside for her ~~xxxxxx,xxxxxx xxxxxxxxxxxx xxxxxxxxx xxxxx~~. Phone ~~xxxxxxx-xxxxxxxxx~~ if you need to call ~~xxx~~. After you have reimbursed for all DCFS paid care, you can send any Trust Fund balance to the above address also. Please rush the $2,000.00. ~~xxxx~~ will go to her local SSA office to apply to be her own payee. Thanks! Gail Baker, DCFS Region 4 Trust Fund Liaison 1/14/99.

*** END OF NOTE***

Forward to ID: _____ Attachment: Y Forward Acknowledgement: ___ (Y or Blank)

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A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~xxxxxxxxxxxxxxxxx~~ ~~xxxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxxxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxxxxxxxxxx~~

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxxxx~~ FOR INDEPENDENT LIVING EXPENSES.	$2,000.00	2000

Prepared By	Tele. #	Date	Agency Approval	Date
SHERYL CHOATE			//s//Karen Kegley-Justinen	1/15/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
1-15-99		TRU		VOD1	~~xxxxxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$2,000.00	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$2,000.00	

Exhibit D – Page 16 of 28

Choate, Sheryl

From: Keyser, Judi
Sent: Friday, July 16, 1999 4:13 PM
To: Choate, Sheryl
Subject: RE: ~~xxxxx xxxxxxxxx~~

You may have my approval. you can send the money to ~~xxx~~ at the following address: ~~xxxx xxxxxxxx xxxxxx xxxxxx~~. Thanks.

—Original Message—
From: Choate, Sheryl
Sent: Friday, July 16, 1999 1:49 PM
To: Keyser, Judi
Cc: Choate, Sheryl
Subject: ~~xxxxxxxxxxxxxxx~~

Per the 6/8/99 camis memo from Barb Turner requesting that we forward $1200 to ~~xxx~~ after she turned 18 - We will need your approval to forego reimbursement for that amount. thank you.

Exhibit D – Page 17 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~xxxxxxxxxxxxxxxxx~~ ~~xxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxxxxxxxxxx~~

Date	Description	Amount	Agency Use
656963	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxxx~~ FOR INDEPENDENT LIVING EXPENSES.	$1,200.00	2000

Prepared By	Tele. #	Date	Agency Approval	Date
SHERYL CHOATE			//s//Karen Kegley-Justinen	7/16/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
7-16-99		TRU		VOD1	~~xxxxxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$1,200.00	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$1,200.00	

Exhibit D – Page 18 of 28

Page: 1 Document Name: untitled

READMAIL Read Mail For: CSHE300 SYSMRVW SYSMRVWM

From : BAKG300 GAIL BAKER
Subject: ~~xxxxxx~~ 1460652 Date: 09/22/1998 Time: 11:03 AM
Copy : Y Forwarded: Read: Reply:

Karen---By copy of this e-mail I am stating the department agrees to forego reimbursement for costof care in the amount of $2,465.00 in favor of current expenditures for school clothes and a haircut, and in favor of savings for emancipation for thisyoung woman. So, please issue a check for $465.00 to ~~xxxxx~~ for ~~xxxxxx~~ and mail it to ~~xxxx~~, Associated Counsel for the Accused, ~~xxxxxx xxxxxxxxxx~~, ~~xxxxxxx xxxxx~~. Phone 253-520-6509 Ext. 248 if you need to talk to Sue. Then, please set aside $2,000.00 from income which we will disburse to ~~xxxx~~ after age 18 and dismissal of the dependency. Please let me know there are any questions or problems. Thanks! Gail Baker DCFS Region 4 Trust Fund Liaison 9/22/98

END OF NOTE

ORIG. SENT TO:KEGK300

COPIES SENT TO: ZASH300 VAKA300 BAKG30 CSHE300

Exhibit D – Page 19 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~xxxx~~ Associated Counsel for the Accused, for ~~xxxxxxxxxxx~~ ~~xxxxxxxxxxxxxxxxxxxxxxxxxxx~~

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxxx~~ FOR SCHOOL CLOTHES AND HAIRCUT.	$465.00	2000

Prepared By	Tele. #	Date	Agency Approval	Date
SHERYL CHOATE			//s//Karen Kegley-Justinen	9/22/98

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
9-22-98		TRU		VOD1	~~xxxxxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$465.00	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$465.00	

Exhibit D – Page 20 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
~~xxxxxxxx~~ ~~xxxxxxxxx~~ ~~xxxxxxxxxxxx~~

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ~~xxxxxxxxxxxxxx~~ Account Balance	$3,408.50	3500

Prepared By	Tele. #	Date	Agency Approval	Date
SHERYL CHOATE			//s//Karen Kegley-Justinen	10/1/98

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
10-1-98		TRU		VOD1	~~xxxxxxx~~	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$3,408.50	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$3,408.50	

Exhibit D – Page 21 of 28

READMAIL Read Mail For: KEGK300 SYSMRVW SYSMRVWM

From : PAKI300 KIMBERLY PANOS
Subject: ~~xxxx xxxx~~ Date: 09/29/1998 Time: 11:08 AM
Copy : Forwarded: Read: Reply:

Hi Karen – Please forward ~~xxx~~ remaining TF Account balance * to him at ~~xxxx xxxxxxxx-xxxx xxxxx xxxxx~~, ~~xx~~. He is no longer in the custody of DSHS. Thx, Todd for Kim

END OF NOTE

ORIG. SENT TO : KEGK300
COPIES SENT TO: PAKI300

Forward to ID: ____ Attachment: Y Forward Acknowledgement: __ (Y or Blank)

[hand-written note]

TOTAL BALANCE

$3408.50

Exhibit D – Page 22 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
GAGE, RAY for ELIZABETH GAGE 21330B 9th AVE SE BOTHELL, WA 98021

Date	Description	Amount	Agency Use
1646351	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ELIZABETH D. GAGE, 013082. EXCESS CHILD SUPPORT BALANCE	$49.63	3500

Prepared By	Tele. #	Date	Agency Approval	Date
SHERYL CHOATE			//s//Karen Kegley-Justinen	9/28/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
9-28-99		TRU		VOD1	GAGE	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$49.63	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$49.63	

Exhibit D – Page 23 of 28

Justinen, Karen

From: Heath, Marion
Sent: Monday, September 27, 1999 2:31 PM
To: Justinen, Karen
Cc: Heath, Marion
Subject: RE: Elizabeth Gage 1646351

lelizabeth's father, to whom she returned after placement is:-

Ray Gage
21330B 9th Ave SE
Bothell, WA 98021

---Original Message---
From: Justinen, Karen
Sent: Thursday, September 23, 1999 12:54 PM
To: Fosty, Tracy
Cc: Justinen, Karen
Subject: Elizabeth Gage 1646351

It appears that this client left care in 6/99. If this is correct, please provide me with the custodial parent's name and address so we can send the trust fund balance of $49.23 to them. Thank you.

[2 hand-written notes]

Please send child support bal to [Ray Gage]

balance
$49.63

Exhibit D – Page 24 of 28

A-19 State of Washington REVENUE REFUND	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
GAGE, ELIZABETH 2115 TAYLOR #2 BELLINGHAM, WA 98225

Date	Description	Amount	Agency Use
1646351	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF ELIZABETH D. GAGE, 013082. ACCOUNT BALANCE	$1,254.94	2000 (SSA)

Prepared By	Tele. #	Date	Agency Approval	Date
SHERYL CHOATE			//s//Karen Kegley-Justinen	11/15/99

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
11-15-99		TRU		VOD1	GAGE	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$1,254.94	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$1,254.94	

Exhibit D – Page 25 of 28

Choate, Sheryl

From: marilynn.harder@ssa.gov[SMTP:marilynn.harder @ssa.gov]
Sent: Monday, November 15, 1999 5:27 AM
To: Choate, Sheryl
Subject: Re[2]: FE: elizabeth Gage

text file
RFC822.TXT

Thx Sheryl, yes go ahead and forward the money to Elizabeth. The 11/99 payment should have gone to her. The payee was changed 10/19/99. Let me know if questions-thx-mh

_____Reply Separator_____

Subject: RE: FW: elizabeth Gage
Author: "Choate Sheryl" <CHOATSL@dshs.wa.gov> at ##internet
Date: 11/15/99 8:53 AM

539-66-8115C1.....

> ---------
>From: marilynn.harder@ssa.gov{SMTP:marilynn.harder @ssa.gov]
>Sent: Monday, November 15, 1999 4:16 AM
>To: Choate, Sheryl
>Subject: Re: FW: elizabeth Gage

>
<<File: Cute_ghost.gif><<File: RFC822.TXT>>
> Do you have her SSN or claim number? thx-marilynn
>
>_____Reply Separator_____

>Subject: FW: elizabeth Gage
>Author: "Choate Cheryl" <CHOATS@dshs.wa.gov> at ##internet
>Date: 11/10/99 10:58 AM
>
>Hi Marilynn,
>Ok to forward tf bal $1254.94 directly to her? Will we
>receive the Nov ck?
>
>>-----
>>From: Burgamy, Chuck
>>Sent: Friday, October 29, 1999 4:23 PM
>>To: Choate, Sheryl
>>Subject: elizabeth Gage
>>
>><<Cute_ghost.gif>>
>>Hi
>>SSA has made Elizabeth her own payee..She
>>would like her balance sent to her place in
>>Bellingham. Thanks
>>
>>Chuck Burgamy
>>360 416 7258

date stamp
10-29-99

Social Security Administration
Retirement, Survivors and Disability Insurance
Important Information

Office of Central Operations
1500 Woodlawn Drive
Baltimore, Maryland 21241-1500
Date: October 26, 1999
Claim Number: 539-66-8115HC1

SECY DSHS FOR
ELIZABETH D GAGE
PO BOX 9501
OLYMPIA, WA 98507-9501

We have decided that it would be best for ELIZABETH D GAGE to have her checks sent to another payee.

If You Saved Any Money

While you were ELIZABETH D GAGE'S payee, you may have saved some money for her. If you have, you should return it to us unless you have already made other plans with us for handling it. The money you will need to return includes:

- Saved and invested benefits.
- Interest earned from these savings and investments.
- Money you have left over from any checks we sent you.
- Any checks you might receive after the date of this letter.

Exhibit D – Page 28 of 28

How To Pay Us Back

To do this, you can write us a check or money order. Make it out to the Social Security Administration. Be sure to write "Conserved Funds for ELIZABETH D GAGE, 539-66-8115HC1" on that check or money order. Please mail it in the enclosed green envelope.

Enclosure(s):
Refund Envelope PC 5
539-66-8115HC1

If You Have Any Questions

If you have any questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-360-753-9451. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves your area is located at:

SOCIAL SECURITY
402 YAUGER WAY SW
OLYMPIA, WA 98502

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

/s/

W. Burnell Hurt
Associate Commissioner for
Central Operations

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF OKANOGAN

GUARDIANSHIP ESTATE OF DANNY KEFFELER, by WANDA PIERCE, Guardian, and other persons similarly situated, Plaintiffs, v. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Defendant, And LYLE QUASIM, DIRECTOR OF THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES; AND MICHAEL R. HOBBS, PROGRAM MANAGER FOR DEPARTMENT OF SOCIAL AND HEALTH SERVICES, Additional Defendants.	NO. 96-2-00157-2 SUPREME COURT NO. 67680-1 AFFIDAVIT OF TAMARA ERICKSON

STATE OF WASHINGTON)
: ss.
County of Thurston)

TAMARA ERICKSON, being first duly sworn on oath, deposes and says:

1. My name is Tamara Erickson. I am the Chief of the Office of Federal Funding in the Children's Administration in the Department of Social and Health Services (DSHS). The Children's Administration is responsible for child protective, child welfare, family reconciliation and licensing services through forty-four local offices in six (6) geographic regions in Washington State. This includes foster care services for those children who can not remain in their own home as a result of abuse or neglect issues. As Office Chief, I am responsible for policies, procedures and activities regarding federal funding used to support Children's Administration's programs and staff.

2. RCW 74.13 states that the purpose of child welfare services is to safeguard, protect and contribute to the welfare of the children of the state. This includes social services and facilities for children who require guidance, care, control, protection, treatment or rehabilitation. Child Welfare Services include child protection, placement prevention, permanency planning, and placement services (foster care), and other services to children and families who may need services due to serious chronic issues, including children and youth who are abused or neglected, medically fragile, or without family resources. A child may not be able to safely remain in his or her own home. If so, foster care is available. Foster care includes receiving care for emergency 24-hour placements, family foster care and residential treatment services (group care or therapeutic foster care services).

3. The foster care budget includes funds for out-of-home placement as well as for foster parent

supports, foster parent liability insurance, employed foster parent child care, foster parent recruitment and retention, foster parent training, foster parent respite and other supporting services for foster homes. This budget also contains supporting funding for some specialized services for foster children such as Medicaid personal care services, child placing agency fees for case management of children in the care of private child placing agencies, supervised visitation and transportation for the child, intensive foster care assessments, Passports (an automated, health and education record-keeping and tracking system for children in out-of-home care for more than 90 days), psychological assessments and treatment, and other specialized supports to foster children.

4. Paragraph 2a of the Supreme Court's Order on Remand (paragraph 3(a) of the trial courts' Scheduling Order) requests that DSHS provide the number of foster care children in the State's custody pursuant to RCW 74.13. In September 1999, the Children's Administration had approximately 12,930 children in out-of-home care. However, not all of these children are in the State's custody. Some children may be in the custody of a private child-placing agency (licensed by the Children's Administration) or in the custody of a Tribe or Tribal child-placing agency. The Children's Administration may still be responsible for providing the funding for their maintenance and care but the custody does not reside with the State. Of these 12,930 children, 10,578 were in the custody of the Children's Administration. The remaining 2,352 were in the

custody of another organization, or joint custody with the department and another organization, etc.

5. Over the last four years Children's Administration has refined our reporting of the number of children in out-of-home placement. As a result, the number of out-of-home placements is higher than the number included in Mr. Richard Anderson's affidavit submitted to this court in March 1997. Children's Administration currently includes all children in out-of-home placement, including children who are in the care of a relative but the child is in the State's custody, and those children for whom the State does not have custody but is financially responsible. I chose to use monthly data rather than a specific date or a yearly average. I believe this will give the most accurate information possible. I also chose to use September 1999 rather than the current month to accommodate any time lag historically observed when extracting this type of data from the Children's Administration's automated information system.

6. Paragraph 2b of the Supreme Court's Order on Remand (paragraph 3(b) of the trial courts' Scheduling Order) requests that DSHS provide the number of foster care children described in paragraph 4 who receive social security benefits. Of those 12,930 children, approximately 1,480 were also beneficiaries of a Social Security payment in the month of September 1999. Approximately 923 were Title XVI, Supplemental Security Income (SSI) recipients, approximately 469 were Title II (SSA) recipients, and approximately 88 received SSI and SSA benefits concurrently. Because the Case and Management Information System (CAMIS) is not a

static system, and I chose a point in time for the data, I am relying on the Division of Finance's information regarding the number of children receiving benefits for which DSHS is the representative payee. In addition, Children's Administration staff manually reviewed CAMIS information in order to include children in the care of the Children's Administration for which DSHS is not the representative payee. Nevertheless, an approximation is the best we are able to identify.

7. Paragraph 2d(iii) of the Supreme Court's Order on Remand (paragraph 3(d)(iii) of the trial courts' Scheduling Order) requests that DSHS provide whether, and how, Social Security payments the State receives as representative payee are "passed through" to the foster parents of the beneficiary children. The Children's Administration provides reimbursement for a foster parent, from whatever funding source, for the expenses they have incurred to provide care for that child. Whether the source of the funding for foster care maintenance is Title IV-E funds matched with state funds, Temporary Assistance to Needy Families (TANF) funding, or SSI or SSA funds, the state must pass that funding on to the foster parent who actually provides the care for that child. The Children's Administration does not normally purchase food, clothing, and shelter directly for a child because it would be administratively impractical.

8. Paragraph 2e of the Supreme Court's Order on Remand (paragraph 3(e) of the trial courts' Scheduling Order) requests that DSHS provide a detailed explanation of the services DSHS provides on behalf of foster care children in its capacity as

representative payee. Prior to applying to the Social Security Administration to serve as representative payee, the Children's Administration identifies all children in the foster care system who may have a significant mental or physical impairment that would make them eligible for SSI benefits. We also must apply on behalf of any child who is eligible for SSA benefits as required by 20 CFR 416.210. If staff believe the child may be eligible for SSI, the staff submits an application to the Social Security Administration. If staff believe a denial of eligibility is erroneous, they will appeal on behalf of the child.

9. If the child's claim for social security benefits is allowed, as representative payee the Secretary of DSHS through the Children's Administration provides a number of services on behalf of the foster children. Children's Administration staff are responsible for monitoring a child's service needs, including food, clothing, shelter, therapy, child care (specialized or regular), special dietary needs, any special equipment the foster parent may need to care for the child, or any other special needs the child has through the child's case plan. Children's Administration is required to do an Individual Service and Safety plan for each child in our care. This plan addresses the child's needs and where the child should live. This plan also addresses the child's permanent placement (either returning home to their parents (reunification) or another plan such as adoption or guardianship if reunification is not possible) and what the parents must do in order to achieve reunification.

10. Staff are also responsible for maintaining the child's eligibility for SSI benefits by monitoring the amount of benefits available on a child's behalf. If resources are available beyond the monthly cost of foster care, staff will identify additional service needs and will purchase those services for the child.

11. If the child's social worker identifies additional services or needs beyond basic food, clothing and shelter, the social worker may recommend that the child's monthly social security benefits be used to pay for those needs or services in addition to, or instead of, basic foster care maintenance. The DSHS will give priority to the special needs when it is consistent with the social security regulations and when it is in the child's best interest.

12. SSI financial redeterminations are completed by Children's Administration staff who interview the social worker, child, foster parent and/or guardian. Financial redeterminations are required by the Social Security Administration to determine continued income eligibility. There are several different types of redetermination forms used by the Social Security Administration depending on whether or not the child is flagged by the Social Security Administration as likely to have changes to their record, such as frequent moves and wages or other sources of income.

13. Children who receive SSI benefits are required by the Social Security Administration to have completed Continuing Disability Reviews (CDR). Staff complete CDRs approximately every three years and then again just before they turn 18.

If a CDR is not completed, the child's SSI benefits are terminated by the Social Security Administration.

14. Staff reports to the Social Security Administration any changes to the child's income that will affect the SSI payment amount or continuing SSI eligibility (i.e., wages, child support payments, etc.). For example, Children's Administration receives a list from the DSHS Division of Child Support which match children receiving an SSI benefit with those for whom the Division of Child Support received a child support payment. The Children's Administration reports these child support collections to the Social Security Administration as income which could lower the child's SSI benefits. Staff also notifies the Social Security Administration regarding changes in circumstance of child (change of address, change in custody, on the run, etc).

15. The staff complete the reports and forms required by the Social Security Administration for SSA benefits. For example, the staff prepares Beneficiary Recontact Reports which track beneficiaries marital status, and student statement forms which track school attendance for continued eligibility.

16. Staff complete Disabled Adult Child (DAC) claims for those children receiving both SSA and SSI benefits or children receiving SSA who may be eligible for SSI. The Disabled Adult Child program allows a child, under certain circumstances, to receive benefits under SSA beyond their 18th birthday.

17. Staff assist 18 year olds, parents, adoptive parents, foster parents and/or guardians in accessing dedicated account funds.

18. Staff make necessary arrangements with the new custodian or the 18 year old to facilitate reunification or emancipation. Some children would be unable to return home or live independently without a source of income. With proper planning between staff and the child or custodian, SSI eligibility may be preserved with benefits available after the child leaves foster care. If the child is eligible for SSA, staff advise the new custodian or the 18-year-old on how to apply to the Social Security Administration to become the new representative payee.

19. Staff complete adoption support screenings for SSI eligible children. Children who are eligible for SSI are also eligible for medical benefits under COBRA (Consolidated Omnibus Budget Reconciliation Act). This is an important service because families outside of Washington State adopt some children, or the adoptive family may move to another state. COBRA allows reciprocal medical coverage in other states that may not be available otherwise.

20. Paragraph 5 of the trial court's Scheduling Order requests that DSHS provide information about federal programs under which the State receives reimbursement and/or matching funds for its cost of providing foster care. Title IV-E funding is available to states under the Social Security Act to provide federal matching funds for foster care maintenance, adoption assistance payments, administrative and

training costs in support of the effective and efficient administration of these programs. Title IV-E is the most complicated funding source used in child welfare. This funding not only has an income eligibility component, it has strong programmatic and practice rules that must be followed in order to attain and maintain eligibility for a child. Eligible cases are reviewed every six months to check various eligibility factors such as income and resources and proper documentation in the case and court records of required child welfare practices. Currently, Title IV-E funding is estimated to be approximately 24% of the total state fiscal year 2000 foster care budget (including the state matching funds).

21. In addition to meeting the Title IV-E requirements, the State of Washington is also required to submit the Comprehensive Child and Family Services Plan (see Exhibit A) to assure the federal government that the State follows the requirements established under Title IV-B of the Social Security Act (first established in 1935 and as amended most recently under the Adoption Safe Families Act of 1997) in order for a child to be eligible for any foster care or adoption assistance funding under Title IV-E. Requirements such as reasonable efforts to prevent placement, continued court review of the steps taken to achieve the child's permanent plan, continued court review to assess whether the reasons for dependency are still valid, and other child welfare practices must be followed in order to establish and maintain the State's eligibility for Title IV-B and subsequently Title IV-E funding.

22. The state submits a Title IV-E state plan (see Exhibit B) to the federal Department of Health

and Human Services, Administration for Children and Families documenting how we will comply with all Title IV-E requirements. Children's Administration staff determine Title IV-E eligibility for each child in out-of-home placement resulting in the Title IV-E claim for eligible maintenance payments, administrative and training activities which is submitted through the Division of Finance in the Department of Social and Health Services on a quarterly basis.

23. Title IV-E foster care maintenance payments have the same Federal Financial Participation rate (FFP) as Medicaid (Title XIX). Currently in Washington State for federal fiscal year 2000 that rate is 51.83%. This funding is only available for Title IV-E eligible children. The State establishes the child's eligibility based on federal rules and policies. In order to be eligible for Title IV-E, a child must have been removed from a home that was, or would have been, eligible for Aid to Families with Dependency Children (AFDC) according to the State's AFDC eligibility criteria as of July 16, 1996, and the child must have been living with their parent(s) or another relative of specified degree within the six months prior to removal. (In September 1999, Washington State averaged 36.62% of paid foster care placement days from Title IV-E eligible children.)

24. Title IV-E is an income-based program. If a child receives other federal or federally mandated resources or benefits in the same month as Title IV-E funds are claimed on behalf of a child, the IV-E amount claimed by the State must be reduced on a dollar for dollar basis by the other benefits.

Examples of other federal benefits that affect Title IV-E are child support and SSA. Social Security Administration policies have precluded the State from receiving, or ever claiming, Title IV-E funds on behalf of a potentially SSI eligible child for which the Children's Administration submitted an SSI application. Staff must determine which funding source is in the best interests of the child and the department. For this reason, the State has not always sought Title IV-E funding for those children who may also be SSI eligible. If SSI eligibility could be maintained if the child is returned home, in the guardianship, or other permanent plan, the department may forgo Title IV-E. In a case where the cost of the child's care is high, this can be a significant amount of reimbursement. Title IV-E funding does not cover therapy or treatment for the child, respite for the foster parent, most child care for the child or exceptional non-maintenance costs.

25. In addition to the income and resources and other AFDC criteria for eligibility, the State must document to the court that reasonable efforts were made to prevent the placement and that continuing to reside in their own home is contrary to the welfare of the child. The state must continue to make reasonable efforts to reunify the child with his or her family or document why those reasonable efforts are not necessary. Also, the court must award sole custody of the child to the State in order for a child to be Title IV-E eligible. If the State has joint custody of the child with another agency or the Tribe or private child placing agency has custody of the child, the child will not be Title IV-E eligible unless the State maintains a Title IV-E agreement,

sanctioned by the federal government, with that Tribe or agency. If all these efforts are not made and properly documented for the court, including documentation in the court record, the child will lose Title IV-E eligibility. According to the State's Title IV-E plan, if the child continues in placement 12 months or longer, the court must review the permanency plan for that child and document in case and court records that reasonable efforts are being made to achieve the child's permanent plan. If the child remained in care 15 out of the last 22 months, the Children's Administration must review the case for termination of parental rights. If staff do not file for termination of parental rights, staff must document why they do not believe this step is in the best interests of the child and why it is in the best interests of the child to have an alternative permanent plan.

26. In addition to Title IV-E, the Children's Administration received Title IV-A of the Social Security Act, Comprehensive Emergency Assistance Program funding prior to passage of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA). The Children's Administration continues to receive a portion of the State's TANF block grant for foster care services, including foster care maintenance, for eligible children. Eligibility is determined by Children's Administration staff according to criteria established with the federal agency in our State's plan prior to September 1996. TANF funds do not require a state match. The Children's Administration does not claim TANF funds on behalf of children who are eligible for, and receiving, SSI or Title II benefits.

The plan for TANF funds is submitted by the Economic Services Administration in the Department of Social and Health Services. Funds are claimed by the Division of Finance in the Department of Social and Health Services. Currently, TANF is estimated to be 5.6% of the total foster care budget for state fiscal year 2000.

27. Another federal funding source is Title XIX. Title XIX funding is a federal funding program mainly providing medical services. It is matched (with state funding) at the same Federal Financial Participation rate (FFP) as Title IV-E referenced before. Currently in Washington State for federal fiscal year 2000, that rate is 51.83%. Title XIX, through the Medical Assistance Administration in the Department of Social and Health Services, provides medical coverage for all children in foster care.

28. Three discrete programs are also funded by Title XIX in the Children's Administration's foster care budget. Title XIX Targeted Case Management funds a portion of the private child placing agency's case management fee when the State contracts with a private child placing agency to provide some of the case management activities State staff would otherwise provide for a child in foster care. Title XIX Behavior Rehabilitation Services funds some discrete treatment activities for children in group care or therapeutic foster care as outlined in our state plan amendment for Children's Administration's Behavior Rehabilitation Services. Title XIX Assistance is used to fund actual health care practitioner activities under the Children's Administration's Passport program (an automated, health and education

record-keeping and tracking system for children in out-of-home care for more than 90 days). SSI and SSA benefits are not used towards any of these costs.

29. Title XIX funding is estimated to be approximately 25% of the total foster care budget for state fiscal year 2000 (including the state match). Eligibility for Medicaid is determined by the Medical Assistance Administration for all children in foster care. The Medical Assistance Administration is responsible for the Medicaid State Plan. The Division of Finance is responsible for Medicaid claiming on a quarterly basis.

30. Still another source of federal funding is Title IV-B subpart 2, Family Support and Family Preservation Services. This funding was added to child welfare as a subpart of the general Title IV-B child welfare services funding specifically to address family support, family preservation, adoption promotion and support, and time limited reunification services. This funding is a block grant that requires a 25% state fund match. It is used to partially fund Intensive Foster Care Assessments a contracted program that provides a multi-disciplinary assessment for youth in foster care where no permanent placement has been identified and the Supervised Visitation program, a contracted program that facilitates visits between children in foster care and their biological families while attempting reunification. Individual eligibility is not required. SSI and SSA benefits are not used towards either of these costs. Title IV-B subpart 2 funding is estimated to be approximately 1% of the total foster care budget for state fiscal year 2000 (including the state match). The Children's Administration is

responsible for the Comprehensive Child and Family Services State Plan (which includes the Title IV-B subpart 2). See Exhibit A. The Division of Finance is responsible for Title IV-B subpart 2 claims.

31. Finally, Child Care and Development Fund (45 CFR 98 and 99) is also a federal funding source in the foster care budget. Section 103(c) of the Personal Responsibility and Work Opportunity Reconciliation Act of 1996 (PRWORA) repealed the child care programs authorized under Title IV-A of the Social Security Act and unified them under the Child Care and Development Block Grant (CCDBG). The integrated entitlement and discretionary child care funding has a single, unified purpose and has been named the Child Care and Development Fund (CCDF). The Children's Administration funds Employed Foster Parent Child Care partially with CCDF funding. This program pays for child care to support the foster parent's or non-needy relative care taker's employment. The Children's Administration applies for this funding through a state plan submitted by the Office of Child Care Policy. Eligibility for the program is determined by the child's social worker. The funds are claimed by the Division of Finance in the Department of Social and Health Services. This funding is estimated to be approximately 3.9% of the total foster care budget for state fiscal year 2000.

32. Paragraph 5(b) and 5(c) of the trial courts' Scheduling Order requests DSHS to identify all persons by name, address, telephone number, job title and job description that are in charge of preparing applications for said federal funds and accounting in connection therewith. The way in

which the state qualifies for all of the above federal funding is to submit for approval the required state plans. The State does not submit individual applications on behalf of children in foster care for any federal funding source with the exception of SSI, SSA, Veteran's Administration Benefits, and Railroad Retirement Benefits.. Individual eligibility is determined using federal rules and regulations by DSHS staff in the designated programs and documentation of eligibility is retained in the child's case file. Funds are accounted for through the DSHS automated cost allocation system in the Division of Finance. Funding is not claimed through the system on an individual client basis. However, the DSHS Social Service Payment System does retain the type of funding used to pay for a child's cost of care for audit purposes. Based on the automated cost allocation system, expenditures are reported to the respective federal funding agencies through federal expenditure reports. These reports also recognize any reimbursement of previously claimed federal expenditures. The associated federal revenue is then obtained on a scheduled basis in accordance with the Cash Management Improvement Act.

33. In preparing this affidavit, I relied on the Comprehensive Child and Family Services' Plan, the Title IV-E State Plan, the Federal Funding SSI Facilitator Desk Guide, and a customized report to identify case counts extracted from CAMIS.

//s//

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TAMARA ERICKSON
Chief, Office of Federal Funding

Management Services Division
Children's Administration
PO Box 45710
Olympia, Washington 98504-5710
(360) 902-7920

SUBSCRIBED AND SWORN TO before me this 14th day of January, 2000.

//s//

Sandra Hintz
NOTARY PUBLIC in and for the State of Washington. My commission expires: 6/1/00

IN THE SUPERIOR COURT OF THE STATE OF WASHINGTON IN AND FOR THE COUNTY OF OKANOGAN

GUARDIANSHIP ESTATE OF DANNY KEFFELER, by WANDA PIERCE, Guardian, and other persons similarly situated, Plaintiffs, v. STATE OF WASHINGTON, DEPARTMENT OF SOCIAL AND HEALTH SERVICES And DEPARTMENT OF LICENSING; Defendant, And LYLE QUASIM, DIRECTOR OF THE DEPARTMENT OF SOCIAL AND HEALTH SERVICES, AND MICHAEL R. HOBBS, PROGRAM MANAGER FOR SOCIAL AND HEALTH SERVICES, Additional Defendants.	Okanogan County No. 96-2-00157-2 Supreme Court No. 67680-1 AFFIDAVIT OF ROBERT COVINGTON

STATE OF WASHINGTON)
ss.
County of Thurston)

ROBERT COVINGTON, being first duly sworn on oath, deposes and says:

1. My name is Robert Covington. I am the Office Chief for the Office of Accounting Services (OAS), Finance Division, Department of Social and Health Services (DSHS). I am responsible for the centralized accounting activities of DSHS. As Office Chief, I oversee the management of the Trust Fund Unit.

2. Paragraph 11 of the trial court's Order Directing Defendant to Produce Additional Documents directs the department to "provide a statement describing its policy and practice regarding how child support collections applied by the Division of Child Support to reimburse for foster care expenses affect the department's authority, exercised by the Trust Fund Unit when acting as a child's Representative Payee, to use a child's SSI or SSA benefits to pay for those same, or different, foster care expenses. To the extent available, the department shall provide a record or sample accounting evidencing how its policy or practice impacts class member children." I am authorized to speak on behalf of DSHS on this issue, and this affidavit responds.

3. The agency provided information regarding the use of parental child support to pay towards the child's foster care, and how it accounts for distribution over expenditures in the January 14, 2000 affidavits of Alan Rhoten and Karen Kegley Justinen. This affidavit supplements those to assist the court to better understand the department's overall policy.

4. As explained in the affidavits of Alan Rhoten and Karen Kegley Justinen, dated

January 14, 2000, the Division of Child Support (DCS) is responsible for the comparison of parental child support payments to the amount of foster care paid and subsequent reimbursement to DSHS, while OAS is responsible for the comparison of Social Security funds to the amount of foster care paid and the subsequent reimbursement to DSHS. The department does not currently have a formal written policy addressing how child support collections applied by the Division of Child Support to reimburse for foster care expenses affect the department's authority, exercised by the Trust Fund Unit when acting as a child's Representative Payee, to use a child's SSI or SSA benefits to pay for those same, or different, foster care expenses.

5. However, it is the department's understanding of the law as it applies to this situation that both parental child support and Social Security benefits are available and intended to be used for the support of a child in foster care. The department believes it is lawful and appropriate for the agency to apply parental child support collections to pay all reimbursable foster care expenses. The department further believes that, when acting under the authority of the Social Security Administration's designation as the child's representative payee, it is lawful and appropriate for the agency to apply a child's SSI or SSA benefits to pay all reimbursable foster care expenses. The department believes it may lawfully and appropriately use both sources to pay for the total costs of reimbursable foster care actually incurred maintaining the child in foster care.

6. The department does not, however, take the position that it is lawful and appropriate to retain any foster child's parental child support payments or Social Security benefits which would exceed the total reimbursable costs of maintaining that child in foster care. On the contrary, it is the policy of the department to comply with all laws and regulations governing the programs it administers, and to deposit excess child support or excess social security benefits in an interest bearing account. Thus, it is the policy of the department to limit the total amount of parental child support, SSI and SSA benefits retained to pay for foster care to the total amount of reimbursable foster care costs expended on that child.

7. The computer system used by DCS, the Support Enforcement Management System (SEMS), is a different system than that used by the Children's Administration (CAMIS) and the Trust Fund Unit (TFS). It is presently beyond the capability of these systems to automatically compare parental child support collections used to pay for a child's reimbursable foster care costs with the SSI or SSA benefits used for the same purpose. Currently, it is only possible to do such a comparison manually, and on a case-by-case basis. The department will investigate any accounts brought to our attention that there is a concern or potential for excess reimbursement of the child's cost of care.

8. Although the comparison and reimbursement for foster care costs from child support and social security funds are being done independent of each other, I am confident that, in the vast majority of cases, the total reimbursement to

DSHS does not exceed the total amount of care paid by the department for a child. My confidence is based on the fact that the high cost of foster care for this group of children will, in the vast majority of cases, significantly exceed the total amount of parental support and social security benefits available to pay for the child's foster care. Also, the possibility that both parental child support and SSI benefits could be retained in an amount in excess of the total cost of foster care provided is made even more remote because the department reports parental child support collected on behalf of a SSI eligible child to the Social Security Administration as income. If the child support payments are very much, and are being paid regularly, the Social Security Administration will reduce or terminate SSI payments. It is also supported by the review performed by the Trust Fund Unit Supervisor (Karen Justinen) of the 50 random trust fund cases.

9. Although it is unlikely that DSHS has reimbursed for amounts exceeding the cost of reimbursable foster care in more than a very few, extraordinary cases, the department recognizes that improvements to the procedures and systems related to the accounting for client funds must be made. Given this, staff have been working toward this objective over the past year. Our goal is to centralize the accounting functions for the Trust Fund Clients within the Trust Fund Unit. Although it may be perceived to have taken a significant amount of time to make progress toward this goal, it must be recognized that there are complexities that must be adequately addressed prior to implementing changes. The following are some of the complexities

that DSHS has faced in making changes to the existing process:

a) The existing Trust Fund System was created in the early 1980's to support the accounting requirements for approximately 700 trust fund accounts. This system will not support the additional 10,000 child support cases anticipated to be transferred to the Trust Fund Unit. A new system must be developed to handle the increased volume clients.

b) There are differences in the current accounting methods utilized by DCS and the Trust Fund Unit. Specifically the application of payment to a given month of service is different for SSA and SSI as compared to child support.

c) There are limitations in the data available from other systems. The Support Enforcement Management System (SEMS) has limitations in its ability to provide support information when the support order includes more than one child.

10. In summary, the Office of Accounting Services has partnered with the Division of Child Support and the Children's Administration to make the necessary changes to centralize the accounting function for the Trust Fund Clients. We have made progress in this effort over the past year and will continue until we have the necessary changes to procedure and systems that are necessary to routinely and automatically compare parental child support collections used to pay for a child's reimbursable foster care costs, with the SSI or SSA benefits used for the same purpose. However, it is important to recognize that the relatively high cost of

foster care will, in the vast majority of cases, significantly exceed the total amount of parental support and social security benefits available to pay for the child's foster care.

//s//

ROBERT COVINGTON

SUBSCRIBED AND SWORN TO before me this 25th day February of ~~January~~ 2000.

//s//

Laurie Carley
NOTARY PUBLIC in and for the State of Washington. My commission expires: 01-31-03

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50 RANDOM ACCOUNTS
BLIMKA, NACOLE

SOCIAL SECURITY ACCOUNTING

Last Name	BLIMKA
First Name	NACOLE
MI	A
SSN	~~xxxxxxxxx~~
DOB	1/1/81
Funding Source	SSI

Payments Received	$10,916.00
Interest Earned	$0.00
Payments Returned	$3,003.30
Account Disbursements	$0.00
Foster Care Reimbursement	$7,912.70
Balance	$0.00

Wednesday, January 05, 2000

REPORT DATE: 04/08/98
PURGE DATE:01/01/98
PAGE: 1

----- DEPARTMENT OF SOCIAL AND HEALTH SERVICES -----
----- OFFICE OF ACCOUNTING SERVICES -----
----- TRUST FUND SECTION -----
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: BLIMKA, NACOLE A
PIC: BLIMKNA010181A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
07/23/97	D.C.R.	156	01-00	5000	03/97	491.55	0.00	491.55 DB
07/23/97	D.C.R.	156	01-00	5000	04/97	491.55	0.00	983.10 DB
07/23/97	D.C.R.	156	01-00	5000	05/97	491.55	0.00	1474.65 DB
07/23/97	D.C.R.	156	01-00	5000	06/97	491.55	0.00	1966.20 DB
07/23/97	D.C.R.	156	01-00	5000	07/97	491.55	0.00	2457.75 DB
08/05/97	J.V.	00202	10-10	5000	IAR REIMBURSE	0.00	1966.20	491.55 DB
08/06/97	D.C.R.	166	01-00	5000	08/97	491.55	0.00	983.10 DB
09/03/97	D.C.R.	181	01-00	5000	09/97	491.55	0.00	1474.65 DB
10/02/97	D.C.R.	197	01-00	5000	10/97	491.55	0.00	1966.20 DB

10/15/97	J.V.	09351	01-01	5000	08/97	0.00	983.10	983.10 DB
11/05/97	D.C.R.	214	01-00	5000	11/97	491.55	0.00	1474.65 DB
11/14/97	J.V.	11421	01-01	5000	09/97	0.00	491.55	983.10 DB
12/04/97	D.C.R.	230	01-00	5000	12/97	485.45	0.00	1468.55 DB
12/31/97	J.V.	01674	01-01	5000	10/97	0.00	491.55	977.00 DB

REPORT DATE: 04/08/98
PAGE: 1

----- DEPARTMENT OF SOCIAL AND HEALTH SERVICES -----
----- OFFICE OF ACCOUNTING SERVICES -----
----- TRUST FUND SECTION -----
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: BLIMKA, NACOLE A
PERSON ID: 477962
PIC: BLIMKNA010181A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
01/01/98	D.C.R.	00000		5000	BAL FWD	977.00	0.00	977.00 DB
01/05/98	D.C.R.	248	01-00	5000	01/98	500.55	0.00	1477.55 DB
01/15/98	J.V.	02054	01-01	5000	11/97	0.00	491.55	986.00 DB
02/04/98	D.C.R.	264	01-00	5000	02/98	500.55	0.00	1486.55 DB
02/13/98	J.V.	02325	01-01	5000	12/97	0.00	485.45	1001.10 DB
03/04/98	D.C.R.	279	01-00	5000	03/98	500.55	0.00	1501.65 DB
03/13/98	J.V.	25371	01-01	5000	01/98	0.00	500.55	1001.10 DB
04/02/98	D.C.R.	300	01-00	5000	04/98	500.55	0.00	1501.65 DB
04/15/98	J.V.	29381	01-01	5000	02/98	0.00	500.55	1001.10 DB

05/07/98	D.C.R.	325	01-00	5000	05/98	500.55	0.00	1501.65 DB
05/15/98	J.V.	32721	01-01	5000	03/98	0.00	500.55	1001.10 DB
06/02/98	D.C.R.	341	01-00	5000	06/98	500.55	0.00	1501.65 DB
06/15/98	J.V.	36561	01-01	5000	04/98	0.00	500.55	1001.10 DB
07/07/98	D.C.R.	365	01-00	5000	07/98	500.55	0.00	1501.65 DB
07/15/98	J.V.	40761	01-01	5000	05/98	0.00	500.55	1001.10 DB
08/06/98	D.C.R.	387	01-00	5000	08/98	500.55	0.00	1501.65 DB
08/14/98	J.V.	47271	01-01	5000	06/98	0.00	500.55	1001.10 DB
09/02/98	D.C.R.	402	01-00	5000	09/98	500.55	0.00	1501.65 DB
09/15/98	J.V.	51701	01-01	5000	07/98	0.00	260.31	1241.34 DB
10/02/98	D.C.R.	422	01-00	5000	10/98	500.55	0.00	1741.89 DB
11/05/98	D.C.R.	444	01-00	5000	11/98	500.55	0.00	2242.44 DB
12/01/98	J.V.	06247	01-01	5000	07/98	260.31	0.00	2502.75 DB
12/04/98	D.C.R.	463	01-00	5000	12/98	500.55	0.00	3003.30 DB
12/14/98	INVOICE	98348	07734	5000	07/98	0.00	500.55	2502.75 DB
12/14/98	INVOICE	98348	07734A	5000	08/98	0.00	500.55	2002.20 DB
12/14/98	INVOICE	98348	07734B	5000	09/98	0.00	500.55	1501.65 DB
12/14/98	INVOICE	98348	07734C	5000	10/98	0.00	500.55	1001.10 DB
12/14/98	INVOICE	98348	07734D	5000	11/98	0.00	500.55	500.55 DB
12/14/98	INVOICE	98348	07734E	5000	12/98	0.00	500.55	0.00 DB

A-19 State of Washington Revenue Refund	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
SOC. SEC. ADMIN., ~~xxx xx xxxx~~ 402 YAUGER WAY SW OLYMPIA, WA 98502-5068

Date	Description	Amount	Agency Use
	TO RETURN FUNDS FORM THE TRUST FUND ACCOUNT OF NACOLE A. BLIMKA, 010181. 7-98 500.55 8-98 500.55 9-98 500.55 10-98 500.55 11-98 500.55 12-98 500.55	$3,003.30	5000

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Sheryl Choate			//s// Karen Kegley-Justinen	12-10-98

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
12/10/98		TRU		VOD1	BLIMKA	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$3,003.30	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$3,003.30	

Social Security Administration
Supplemental Security Code

(Income)

Notice of Overpayment

402 Yauger Way S.W.
Olympia, WA 98502
Phone: (360) 753-9451
TDD: (360) 534-9333
FAX: (360) 753-8077
Office Hours: 9:00 a.m. to 4.30 p.m.

SECY DSHS for
Nacole A. Blimka
PO BX 9501
Olympia, WA 98507-9501

November 18, 1998
Claim Number: ~~xxx xx xxxx~~

Dear DSHS:

We are writing to let you know that we have paid Nacole $2502.75* (Please see note below) too much Supplemental Security Income (SSI) money. The overpayment happened July 1998 through November 1998.

Nacole returned to her parents on June 12, 1998. Effective July 1998 you were not due checks for Nacole since she was not in your custody. You will be paid an additional $500.55 on December 1, 1998 as it is too late to stop that check. This will bring the overpayment to $3003.30.

Later in this letter, we'll give you a detailed explanation of Nacole's overpayment.

You must pay us back unless we decide you shouldn't have to pay us back or we're wrong about the overpayment. If you think you shouldn't have to pay us back or you disagree with the decision about the overpayment, you can:

- Ask for a waiver,
- Ask for an appeal, or
- Do both.

This letter will tell you more about these things you can do.

If You Think You Shouldn't Have To Pay Us Back

You may not have to pay us back. Sometimes we can waive the collection of an overpayment, which means you won't have to pay us back. We can do this if both the following are true.

- It wasn't Nacole's fault that you got too much SSI money.

AND

- Paying us back would mean you can't pay her bills for food, clothing, housing, medical care, or other necessary expenses, or it would be unfair for some other reason.

If you think these are true about Nacole, contact any Social Security office. You can ask for waiver at any

time by completing the waiver form and returning it to us. The form is called Request for Waiver of Recovery or Change in Repayment Rate, Form SSA-632. We will be happy to help you fill out the form. We won't collect the overpayment while we decide if we can waive it.

If You Disagree With The Decision

If you disagree with the decision, you have the right to appeal. We will review the case and look at any new facts you have.

- You have 60 days to ask for an appeal.
- The 60 days start the day after you get this letter. We assume you got this letter 5 days after the date on it unless you show us that you did not get it within the 5-day period.
- You will have to have a good reason for waiting more than 60 days to ask for an appeal.
- To appeal, you must fill out a form called "Request for Reconsideration." The form number is SSA-561. To get this form, contact one of our offices. We can help you fill out the form.

How To Appeal

There are three ways to appeal. **You can pick the one you want. If you meet with us in person, it may help us decide Nacole's case.**

- **Case Review.** You have a right to review the facts in Nacole's file. You can give us more facts to add to her file. The we will decide her case

again. You will not meet with the person who decides her case.

- **Informal Conference.** You will meet with the person who decides Nacole's case. You can tell that person why you think you are right. You can give us more facts to help prove you are right. You can bring other people to help explain Nacole's case.
- **Formal Conference**. This is a meeting like an informal conference. The difference is we can make people come to help prove you are right. We can make them bring important papers about Nacole's case, even if they do not want to help you. You can question these people at your meeting.

If You Want Help With Your Appeal

You can have a friend, lawyer or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. We have a list of groups that can help you with your appeal.

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it.

How To Pay Us Back

There are two ways you can pay us back.

- You can send us a check or money order for the full amount of Nacole's overpayment. Make the check or money order out to the Social Security Administration. Be sure to put Nacole's Social Security number on it. Please use the enclosed envelope to mail the check or money order to us. Also, be sure to enclose the payment stub with the check or money order.

OR

- If you can't send us the full amount now, send as much as you can. Then contact any Social Security office. You can pay the rest of the money you owe by making monthly payments.

If you can't pay us in full, please contact us in the next 30 days. You'll need to tell us how you plan to pay us back.

If You Have Any Questions

If you have any questions, you should call, write or visit any Social Security office. If you call or visit our office, please have this letter with you and ask for Marilyn N. Harder. The telephone number is shown at the top of page 1. We can answer most questions over the phone.

Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly.

_//s//_____ for B. Maurmann
Field Office Manager

Enclosure(s):
Detailed Explanation of Overpayment
Payment Stub
Refund Envelope

22x

A Detailed Explanation of The Overpayment

Overpayment Summary

Nacole was overpaid $2502.75* (Please see note below). The following table shows how her payment changed each month. The first column lists the month(s) we paid Nacole incorrectly. The next column shows the incorrect amount for each month. The last column, **Correct Amount for Each Month** shows the amount we should have paid Nacole for each month.

Month	Incorrect Amount for Each Month	Correct Amount for Each Month
July-November	$500.00	$000.00

*NOTE: You will also be overpaid in December 1998 as it is too late to stop that check. This check will be for $500.55 bringing the overpayment to $3003.30.

Why Nacole Was Overpaid

For the month(s) listed below, the income on our records was wrong. Because we didn't know about all the income, we paid Nacole too much SSI.

Nacole was not in your custody so you were not due money for Nacole after June 12, 1998.

To help us credit Nacole's record, please fill out this form and return it with your payment in the enclosed envelope.

NAME: Nacole Blimka
ACCOUNT NUMBER: ~~xxx-xx-xxxx~~
AMOUNT DUE: $2502.75* (Please see note below)
ENTER AMOUNT ENCLOSED: $_____

50 RANDOM ACCOUNTS
COTTON, JASMINE

SOCIAL SECURITY ACCOUNTING

Last Name	COTTEN
First Name	JASMINE
MI	V
SSN	~~xxxxxxxxx~~
DOB	3/22/96
Funding Source	SSI

Payments Received	$23,362.37
Interest Earned	$0.00
Payments Returned	$0.00
Account Disbursements	$0.00
Foster Care Reimbursement	$23,362.37
Balance	$0.00

Wednesday, January 05, 2000

REPORT DATE: 10/09/96
PURGE DATE: 07/01/96
PAGE: 1

---- DEPARTMENT OF SOCIAL AND HEALTH SERVICES ----
---- OFFICE OF ACCOUNTING SERVICES ----
---- TRUST FUND SECTION -----
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: COTTEN, JASMINE V.
PIC: COTTEJV032296A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
05/03/96	D.C.R.	53514	01-01	5000	NEW ACCOUNT	495.42	0.00	495.42 DB
05/08/96	D.C.R.	53562	01-01	5000		11676.29	0.00	12171.71 DB
06/02/96	J.V.	03793	01-01	5000	04-94 FC	0.00	79.01	12092.70 DB
06/02/96	J.V.	03793	01-02	5000	05-94 FC	0.00	474.00	11618.70 DB
06/02/96	J.V.	03793	01-03	5000	06-94 FC	0.00	474.00	11144.70 DB
06/02/96	J.V.	03793	01-04	5000	07-94 FC	0.00	474.00	10670.70 DB
06/02/96	J.V.	03793	01-05	5000	08-94 FC	0.00	474.00	10196.70 DB
06/02/96	J.V.	03793	01-06	5000	09-94 FC	0.00	474.00	9722.70 DB
06/02/96	J.V.	03793	01-07	5000	10-94 FC	0.00	474.00	9248.70 DB
06/02/96	J.V.	03793	01-08	5000	11-94 FC	0.00	474.00	8774.70 DB

06/02/96	J.V.	03793	01-09	5000	12-94 FC	0.00	474.00	8300.70 DB
06/02/96	J.V.	03793	01-10	5000	01-95 FC	0.00	486.00	7814.70 DB
06/02/96	J.V.	03793	01-11	5000	02-95 FC	0.00	486.00	7328.70 DB
06/02/96	J.V.	03793	01-12	5000	03-95 FC	0.00	486.00	6842.70 DB
06/02/96	J.V.	03793	01-13	5000	04-95 FC	0.00	486.00	6356.70 DB
06/02/96	J.V.	03793	01-14	5000	05-95 FC	0.00	486.00	5870.70 DB
06/02/96	J.V	03793	01-15	5000	06-95 FC	0.00	486.00	5384.70 DB
06/02/96	J.V.	03793	01-16	5000	07-95 FC	0.00	486.00	4898.70 DB
06/02/96	J.V.	03793	01-17	5000	08-95 FC	0.00	486.00	4412.70 DB
06/02/96	J.V.	03793	01-18	5000	09-95 FC	0.00	486.00	3926.70 DB
06/02/96	J.V.	03793	01-19	5000	10-95 FC	0.00	486.00	3440.70 DB
06/02/96	J.V.	03793	01-20	5000	11-95 FC	0.00	481.80	2958.90 DB
06/02/96	J.V.	03793	01-21	5000	12-95 FC	0.00	481.80	2477.10 DB
06/02/96	J.V.	03793	01-22	5000	01-96 FC	0.00	495.42	1981.68 DB
06/02/96	J.V.	03793	01-23	5000	02-96 FC	0.00	495.42	1486.26 DB
06/02/96	J.V.	03793	01-24	5000	03-96 FC	0.00	495.42	990.84 DB
06/02/96	J.V.	03793	01-25	5000	04-95 96 FC	0.00	495.42	495.42 DB
06/02/96	J.V.	53785	01-01	5000		495.42	0.00	990.84 DB

REPORT DATE: 04/08/98
PURGE DATE: 01/01/98
PAGE: 1

----- DEPARTMENT OF SOCIAL AND HEALTH SERVICES -----
----- OFFICE OF ACCOUNTING SERVICES -----
----- TRUST FUND SECTION -----
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: COTTEN, JASMINE V.
PIC: COTTEJV032296A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
07/01/96	D.C.R.	00000	01-01	5000	BAL FWD	990.84	0.00	990.84 DB
07/03/96	D.C.R.	54054	01-01	5000		495.42	0.00	1486.26 DB
07/11/96	J.V.	03950	03-00	5000	05-96 FC	0.00	495.42	990.84 DB
08/05/96	D.C.R.	54346	04-00	5000		495.42	0.00	1486.26 DB
08/13/96	J.V.	04430	02-00	5000	06-96 FC	0.00	495.42	990.84 DB
09/05/96	D.C.R.	54618	04-00	5000		495.42	0.00	1486.26 DB
09/13/96	J.V.	04931	05-00	5000	07-96 FC	0.00	495.42	990.84 DB
10/04/96	D.C.R.	54889	04-00	5000		495.42	0.00	1486.26 DB
10/14/96	J.V.	05414	01-00	5000	08-96 FC	0.00	445.41	1040.85 DB

11/01/96	D.C.R.	1	01-01	5000	11/96	495.42	0.00	1536.27 DB
11/15/96	J.V.	05771	01-00	5000	9/96 FC	0.00	545.43	990.84 DB
12/05/96	D.C.R.	19	01-00	5000	12/96	495.42	0.00	1486.26 DB
12/12/96	D.C.R.	23	04-00	5000	12/96	21.82	0.00	1508.08 DB
12/13/96	J.V.	06112	01-00	5000	10-96 FC	0.00	495.42	1012.66 DB
01/03/97	D.C.R.	34	01-01	5000	01/97	512.00	0.00	1524.66 DB
01/15/97	J.V.	06448	01-00	5000	11/96 FC	0.00	495.42	1029.24 DB
02/04/97	D.C.R.	54	03-00	5000	02/97	512.00	0.00	1541.24 DB
02/10/97	J.V.	06818	01-01	5000	12-96 FC	0.00	517.24	1024.00 DB
03/06/97	D.C.R.	56239	01-00	5000	3/97	512.00	0.00	1536.00 DB
03/17/97	J.V.	07112	01-01	5000	1/97 FC	0.00	512.00	1024.00 DB
04/03/97	D.C.R.	90	01-00	5000	04/97	512.00	0.00	1536.00 DB
04/14/97	J.V.	07455	01-01	5000	2/97 FC	0.00	512.00	1024.00 DB
05/07/97	D.C.R.	109	01-00	5000	05/97	512.00	0.00	1536.00 DB
05/12/97	J.V.	07710	01-01	5000	3/97 FC	0.00	512.00	1024.00 DB
06/03/97	D.C.R.	126	01-00	5000	06/97	512.00	0.00	1536.00 DB
06/16/97	J.V.	08254	01-01	5000	04/97	0.00	512.00	1024.00 DB
07/03/97	D.C.R.	144	01-00	5000	07/97	512.00	0.00	1536.00 DB

REPORT DATE: 04/08/98
PURGE DATE: 01/01/98
PAGE: 2

----- DEPARTMENT OF SOCIAL AND HEALTH SERVICES -----
----- OFFICE OF ACCOUNTING SERVICES -----
----- TRUST FUND SECTION -----
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: COTTEN, JASMINE V.
PIC: COTTEJV032296A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
07/15/97	J.V.	00048	01-01	5000	05/97	0.00	512.00	1024.00 DB
08/05/97	D.C.R.	165	01-00	5000	08/97	512.00	0.00	1536.00 DB
08/15/97	J.V.	20313	01-01	5000	06/97	0.00	512.00	1024.00 DB
09/03/97	D.C.R.	181	01-00	5000	09/97	512.00	0.00	1536.00 DB
09/15/97	J.V.	06142	01-01	5000	07/97	0.00	512.00	1024.00 DB
10/03/97	D.C.R	198	01-00	5000	10/97	512.00	0.00	1536.00 DB
10/15/97	J.V.	09352	01-01	5000	08/97	0.00	512.00	1024.00 DB
11/04/97	D.C.R.	213	01-00	5000	11/97	512.00	0.00	1529.90 DB
11/14/97	J.V.	11422	01-01	5000	09/97	0.00	512.00	1017.90 DB
12/04/97	D.C.R.	230	01-00	5000	12/97	505.90	0.00	1529.90 DB
12/15/97	J.V.	16182	01-01	5000	10/97	0.00	512.00	1017.90 DB

REPORT DATE: 10/15/98
PAGE: 1

----- DEPARTMENT OF SOCIAL AND HEALTH SERVICES -----
----- OFFICE OF ACCOUNTING SERVICES -----
----- TRUST FUND SECTION -----
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: COTTEN, JASMINE V.
PIC: COTTEJV032296A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
01/01/98	D.C.R.	00000		5000	BAL FWD	1017.90	0.00	1017.90 DB
01/06/98	D.C.R.	249	01-00	5000	01/98	521.00	0.00	1538.90 DB
01/15/98	J.V.	18982	01-01	5000	11/97	0.00	512.00	1026.90 DB
02/03/98	D.C.R.	263	01-00	5000	02/98	521.00	0.00	1547.90 DB
02/13/98	J.V.	22302	01-01	5000	12/97	0.00	505.90	1042.00 DB
03/03/98	D.C.R.	278	01-00	5000	03/98	521.00	0.00	1563.00 DB
03/13/98	J.V.	25372	01-01	5000	01/98	0.00	521.00	1042.00 DB
04/15/98	J.V.	29382	01-01	5000	02/98	0.00	521.00	521.00 DB
05/15/98	J.V.	32722	01-01	5000	03/98	0.00	521.00	0.00 DB

50 RANDOM ACCOUNTS
FILBECK, JENNIFER

SOCIAL SECURITY ACCOUNTING

Last Name	FILBECK
First Name	JENNIFER
MI	L
SSN	[redacted]
DOB	1/16/77
Funding Source	SSI/SSA
Payments Received	$49,597.92
Interest Earned	$75.17
Payments Returned	$3,241.26
Account Disbursements	$123.20
Foster Care Reimbursement	$46,308.63
Balance	$0.00

Wednesday, January 05, 2000

REPORT DATE: 09/19/89
PURGE DATE: 06/01/89
PAGE: 1

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBEJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
12/05/88	D.C.R.	25238	18-03	2000	NEW ACCOUNT	162.20	0.00	162.20 DB
01/03/89	D.C.R.	25567	08-08	5000		290.55	0.00	452.75 DB
01/04/89	D.C.R.	25572	15-03	2000		352.00	0.00	804.75 DB
01/04/89	D.C.R.	25581	07-03	2000		105.00	0.00	909.75 DB
02/02/89	D.C.R.	25955	08-06	5000		290.55	0.00	1200.30 DB
02/06/89	D.C.R.	25977	07-10	2000		157.00	0.00	1357.30 DB
03/03/89	D.C.R.	26335	08-05	5000		238.55	0.00	1595.85 DB
03/06/89	D.C.R	26352	04-12	2000		157.00	0.00	1752.85 DB
03/22/89	J.V.	15332	03-02	2000	JANUARY 89 EC	0.00	157.00	1595.85 DB

03/22/89	INVOICE	C5498	C5498	5000		0.00	342.55	1253.30 DB
04/03/89	D.C.R.	26728	08-03	5000		238.55	0.00	1491.85 DB
04/04/89	D.C.R.	26742	10-09	2000		157.00	0.00	1648.85 DB
04/26/89	J.V.	16267	03-08	5000	FEB. 89 FC	0.00	238.55	1410.30 DB
04/26/89	J.V.	16267	03-09	2000	FEB. 89 FC	0.00	51.92	1358.38 DB
05/03/89	D.C.R.	27171	09-12	5000		238.55	0.00	1596.93 DB
05/04/89	D.C.R.	27183	06-11	2000		157.00	0.00	1753.93 DB
05/17/89	J.V.	16853	03-12	5000	MARCH 89 FC	0.00	238.55	1515.38 DB
05/17/89	J.V.	16853	03-13	2000	MARCH 89 FC	0.00	51.92	1463.46 DB

REPORT DATE: 04/16/90
PURGE DATE: 02/01/90
PAGE: 1

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L.
PIC: FILBEJL011677A

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DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
06/01/89	D.C.R	00000			BAL FWD	1463.46	0.00	1463.46 DB
06/02/89	D.C.R.	27570	08-02	5000		238.55	0.00	1702.01 DB
06/06/89	D.C.R.	27603	04-08	2000		157.00	0.00	1859.01 DB
06/26/89	J.V.	17702	03-11	5000	APRIL 89 FC	0.00	238.55	1620.46 DB
06/26/89	J.V.	17702	03-12	2000	APRIL 89 FC	0.00	51.92	1568.54 DB
07/03/89	D.C.R.	27976	08-07	5000		238.55	0.00	1807.09 DB
07/05/89	D.C.R.	27993	11-03	2000		157.00	0.00	1964.09 DB
07/24/89	J.V.	00123	02-01	2000	AUG. 88 FC	0.00	100.00	1864.09 DB
7/24/89	J.V.	00123	02-02	5000	OCT. 88 FC	0.00	105.08	1759.01 DB

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07/24/89	J.V.	00123	02-03	5000	NOV. 88 FC	0.00	233.65	1525.36 DB
07/24/89	J.V.	00123	02-04	5000	DEC. 88 FC	0.00	185.47	1339.89 DB
07/24/89	J.V.	00123	02-05	2000	DEC. 88 FC	0.00	105.00	1234.89 DB
07/26/89	J.V.	00167	03-12	5000	MAY 89 FC	0.00	238.55	996.34 DB
07/26/89	J.V.	00167	03-13	2000	MAY 89 FC	0.00	51.92	944.42 DB
08/02/89	D.C.R.	28704	08-04	5000		238.55	0.00	1182.97 DB
8/04/89	D.C.R.	28733	08-02	2000		157.00	0.00	1339.97 DB
08/30/89	INVOICE	C0826	C0827	7000	TO SAVINGS	0.00	300.00	1039.97 DB
08/31/89	J.V.	00613	03-08	5000	JUNE 89 FC	0.00	238.55	801.42 DB
08/31/89	J.V.	00613	03-09	2000	JUNE 89 FC	0.00	51.92	749.50 DB
09/05/89	D.C.R.	29141	02-40	5000		238.55	0.00	988.05 DB
09/05/89	D.C.R.	29142	02-20	2000		157.00	0.00	1145.05 DB
09/25/89	J.V.	00842	05-22	2000	JULY 89 FC	0.00	157.00	988.05 DB
09/25/89	J.V.	00842	05-23	5000	JULY 89 FC	0.00	238.55	749.50 DB
10/02/89	D.C.R.	29522	02-39	5000		238.55	0.00	988.05 DB
10/04/89	D.C.R.	29560	02-37	2000		157.00	0.00	1145.05 DB
10/13/89	J.V.	01502	01-22	2000	AUGUST 89 FC	0.00	157.00	988.05 DB
10/13/89	J.V.	01502	01-23	5000	AUGUST 89 FC	0.00	238.55	749.50 DB
11/02/89	D.C.R.	29983	02-42	5000		238.55	0.00	988.05 DB
11/06/89	D.C.R.	30019	02-07	2000		157.00	0.00	1145.05 DB

11/14/89	J.V.	02192	01-18	2000	SEPT 89 FC	0.00	157.00	988.05 DB
11/14/89	J.V.	02192	01-19	5000	SEPT 89 FC	0.00	238.55	749.50 DB
11/27/89	INVOICE	C2270	C2273	7000	TO SAVINGS	0.00	115.40	634.10 DB
12/04/89	D.C.R.	30376	02-26	2000		157.00	0.00	791.10 DB
12/04/89	D.C.R.	30377	03-03	5000		238.55	0.00	1029.65 DB
12/29/89	J.V.	03581	01-28	5000	OCT FC	0.00	238.55	791.10 DB
12/29/89	J.V.	03581	01-29	2000	OCT FC	0.00	157.00	634.10 DB
01/02/90	D.C.R.	30719	03-04	5000		248.55	0.00	882.65 DB
01/04/90	D.C.R.	30759	02-25	2000		165.00	0.00	1047.65 DB
01/25/90	J.V.	03909	02-26	5000	NOV 89 FC	0.00	238.55	809.10 DB
01/25/90	J.V.	03909	02-27	2000	NOV 89 FC	0.00	157.00	652.10 DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBEJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE	
02/01/90	D.C.R	00000			BAL FWD	652.10	0.00	652.10	DB
02/02/90	D.C.R.	31159	03-04	5000		248.55	0.00	900.65	DB
02/02/90	D.C.R.	31164	02-21	2000		165.00	0.00	1065.65	DB
02/21/90	J.V.	04505	01-29	5000	DEC 89 FC	0.00	238.55	822.10	DB
02/21/90	J.V.	04505	01-30	2000	DEC 89 FC	0.00	165.00	662.10	DB
03/02/90	D.C.R.	31533	03-06	5000		248.55	0.00	910.65	DB
03/05/90	D.C.R.	31556	02-21	2000		165.00	0.00	1075.65	DB
03/15/90	J.V.	05197	02-30	5000	JAN 90 FC	0.00	248.55	827.10	DB
03/15/90	J.V.	05197	02-31	2000	JAN 90 FC	0.00	165.00	662.10	DB

04/02/90	D.C.R.	32464	03-01	5000		248.55	0.00	910.65	DB
04/04/90	D.C.R.	32507	02-20	2000		165.00	0.00	1075.65	DB
04/19/90	J.V.	06088	01-21	5000	FEB 90 FC	0.00	248.55	827.10	DB
04/19/90	J.V.	06088	01-22	2000	FEB 90 FC	0.00	165.00	662.10	DB
05/03/90	D.C.R.	32919	02-22	2000		165.00	0.00	827.10	DB
05/04/90	D.C.R.	32945	01-01	5000		2428.55	0.00	1075.65	DB
05/18/90	J.V.	06858	01-29	5000	MARCH 90 FC	0.00	248.55	827.10	DB
05/18/90	J.V.	06858	01-30	2000	MARCH 90 FC	0.00	165.00	662.10	DB
06/04/90	D.C.R.	33344	02-31	2000		165.00	0.00	827.10	DB
06/04/90	D.C.R.	33345	03-04	5000		248.55	0.00	1075.65	DB
06/15/90	J.V.	07753	02-02	5000	APRIL 90 FC	0.00	248.55	827.10	DB
06/15/90	J.V.	07753	02-03	2000	APRIL 90 FC	0.00	165.00	662.10	DB
07/02/90	D.C.R.	33754	03-04	5000		248.55	0.00	910.65	DB
07/05/90	D.C.R.	33788	02-29	2000		165.00	0.00	1075.65	DB
07/13/90	J.V.	08674	02-02	5000	MAY 90 FC	0.00	248.55	827.10	DB
07/13/90	J.V.	08674	02-03	2000	MAY 90 FC	0.00	165.00	662.10	DB
08/03/90	D.C.R.	34190	02-01	5000		248.55	0.00	910.65	DB
08/06/90	D.C.R.	34209	02-30	2000		165.00	0.00	1075.65	DB
08/16/90	J.V.	09948	02-06	5000	JUNE 90 FC	0.00	248.55	827.10	DB
08/16/90	J.V.	09948	02-07	2000	JUNE 90 FC	0.00	165.00	662.10	DB

09/04/90	D.C.R.	34618	02-26	2000		165.00	0.00	827.10	DB
09/05/90	D.C.R.	34644	02-20	5000		248.55	0.00	1075.65	DB
09/26/90	J.V.	11354	01-11	5000	JULY 90 FC	0.00	248.55	827.10	DB
09/26/90	J.V.	11354	01-12	2000	JULY 90 FC	0.00	165.00	662.10	DB
10/02/90	D.C.R.	35044	02-37	5000		248.55	0.00	910.65	DB
10/04/90	D.C.R.	35092	02-27	2000		165.00	0.00	1075.65	DB
10/26/90	J.V.	12246	02-07	5000	AUGUST 90 FC	0.00	248.55	827.10	DB
10/26/90	J.V.	12246	02-08	2000	AUGUST 90 FC	0.00	165.00	662.10	DB

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OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
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CLIENT: FILBECK, JENNIFER L
PIC: FILBEJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE	
11/01/90	D.C.R.	00000			BAL FWD	662.10	0.00	662.10	DB
11/02/90	D.C.R.	35568	02-41	5000		248.55	0.00	910.65	DB
11/05/90	D.C.R.	35587	02-26	2000		165.00	0.00	1075.65	DB
11/27/90	J.V.	13150	01-07	5000	SEPT 90 FC	0.00	248.55	827.10	DB
11/27/90	J.V.	13150	01-08	2000	SEPT 90 FC	0.00	165.00	662.10	DB
12/03/90	D.C.R.	36030	02-39	5000		248.55	0.00	910.65	DB
12/04/90	D.C.R.	36034	02-31	2000		165.00	0.00	1075.65	DB
12/24/90	J.V.	14028	03-07	5000	OCT 90 FC	0.00	248.55	827.10	DB
12/24/90	J.V.	14028	03-08	2000	OCT 90 FC	0.00	165.00	662.10	DB

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01/02/91	D.C.R.	36478	02-42	5000		260.55	0.00	922.65	DB
01/04/91	D.C.R.	36522	02-36	2000		174.00	0.00	1096.65	DB
01/30/91	J.V.	14988	01-07	5000	NOV 90 FC	0.00	248.55	848.10	DB
01/30/91	J.V.	14988	01-08	2000	NOV 90 FC	0.00	165.00	683.10	DB
02/04/91	D.C.R.	37023	02-30	2000		174.00	0.00	857.10	DB
02/05/91	D.C.R.	37024	02-43	5000		260.55	0.00	1117.65	DB
02/27/91	J.V.	15820	01-07	5000	DEC 90 FC	0.00	248.55	869.10	DB
02/27/91	J.V.	15820	01-08	2000	DEC 90 FC	0.00	174.00	695.10	DB
03/04/91	D.C.R.	37268	02-33	2000		174.00	0.00	869.10	DB
03/04/91	D.C.R.	37269	02-34	5000		260.55	0.00	1129.65	DB
03/28/91	J.V.	16714	01-07	5000	JAN 91 FC	0.00	260.55	869.10	DB
03/28/91	J.V.	16714	01-08	2000	JAN 91 FC	0.00	174.00	695.10	DB
04/02/91	D.C.R.	37535	02-42	5000		260.55	0.00	955.65	DB
04/04/91	D.C.R.	37563	02-31	2000		174.00	0.00	1129.65	DB
04/26/91	J.V.	17574	03-07	5000	FEB 91 FC	0.00	260.55	869.10	DB
04/26/91	J.V.	17574	03-08	2000	FEB 91 FC	0.00	174.00	695.10	DB
05/02/91	D.C.R.	37816	02-37	5000		260.55	0.00	955.65	DB
05/06/91	D.C.R.	37834	02-34	2000		174.00	0.00	1129.65	DB
05/28/91	J.V.	18346	03-07	5000	MARCH 91 FC	0.00	260.55	869.10	DB
05/28/91	J.V.	18346	03-08	2000	MARCH 91 FC	0.00	174.00	695.10	DB

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06/03/91	D.C.R.	38072	03-04	5000		260.55	0.00	955.65	DB
06/04/91	D.C.R.	38078	02-37	2000		174.00	0.00	1129.65	DB
06/26/91	J.V.	19416	03-07	5000	APRIL 91 FC	0.00	260.55	869.10	DB
06/26/91	J.V.	19416	03-08	2000	APRIL 91 FC	0.00	174.00	695.10	DB
07/03/91	D.C.R.	38359	03-02	5000		260.55	0.00	955.65	DB
07/05/91	D.C.R.	38371	02-23	2000		174.00	0.00	1129.65	DB
07/19/91	J.V.	20037	01-07	5000	MAY 91 FC	0.00	260.55	869.10	DB
07/19/91	J.V.	20037	01-08	2000	MAY 91 FC	0.00	174.00	695.10	DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBEJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE	
08/01/91	D.C.R.	00000			BAL FWD	695.10	0.00	695.10	DB
08/02/91	D.C.R.	38585	03-05	5000		260.55	0.00	955.65	DB
08/05/91	D.C.R.	38592	02-37	2000		174.00	0.00	1129.65	DB
08/30/9	J.V.	378	03-07	5000	JUNE 91 FC	0.00	260.55	869.10	DB
08/30/91	J.V.	378	03-08	2000	JUNE 91 FC	0.00	174.00	695.10	DB
09/03/91	D.C.R.	38829	03-06	5000		260.55	0.00	955.65	DB
09/04/91	D.C.R.	38839	02-41	2000		174.00	0.00	1129.65	DB
09/27/91	J.V.	631	04-07	5000	JULY 91 FC	0.00	260.55	869.10	DB
09/27/91	J.V.	631	04-08	2000	JULY 91 FC	0.00	174.00	695.10	DB

10/03/91	D.C.R.	39099	03-05	5000		260.55	0.00	955.65 DB
10/04/91	D.C.R.	39108	02-41	2000		174.00	0.00	1129.65 DB
10/24/91	J.V.	1241	01-12	5000	AUG 91 FC	0.00	260.55	869.10 DB
10/24/91	J.V.	1241	01-13	2000	AUG 91 FC	0.00	174.00	695.10 DB
11/04/91	D.C.R.	39356	02-00	2000		174.00	0.00	869.10 DB
11/04/91	D.C.R.	39357	03-23	5000		260.55	0.00	1129.65 DB
11/22/91	J.V.	01864	01-07	2000	9-91 FC	0.00	174.00	955.65 DB
11/22/91	J.V.	01864	01-08	5000	9-91 FC	0.00	260.55	695.10 DB
12/03/91	D.C.R.	39587	03-00	5000		260.55	0.00	955.65 DB
12/04/91	D.C.R.	39610	02-00	2000		174.00	0.00	1129.65 DB
12/26/91	J.V.	02484	01-07	2000	10-91 FC	0.00	174.00	955.65 DB
12/26/91	J.V.	02484	01-08	5000	10-91 FC	0.00	260.55	695.10 DB
01/02/92	D.C.R.	39817	03-00	5000		269.55	0.00	964.65 DB
01/06/92	D.C.R.	39830	02-00	2000		180.00	0.00	1144.65 DB
01/24/92	J.V.	02986	01-01	2000	11-91 FC	0.00	174.00	970.65 DB
01/24/92	J.V.	02986	01-02	5000	11-91 FC	0.00	260.55	710.10 DB
02/03/92	D.C.R.	40048	03-00	5000		269.55	0.00	979.65 DB
02/04/92	D.C.R.	40055	01-00	5000		180.00	0.00	1159.65 DB
02/21/92	J.V.	03570	01-07	2000	12-91 FC	0.00	180.00	979.65 DB
02/21/92	J.V.	03570	01-08	5000	12-91 FC	0.00	260.55	719.10 DB

03/02/92	D.C.R.	40279	03-00	5000		269.55	0.00	988.65 DB
03/03/92	D.C.R.	40290	01-00	2000		180.00	0.00	1168.65 DB
03/23/92	J.V.	04158	01-00	2000	1-92 FC	0.00	180.00	988.65 DB
03/23/92	J.V.	04158	01-01	5000	1-92 FC	0.00	269.55	719.10 DB
04/02/92	D.C.R.	40567	04-00	5000		269.55	0.00	988.65 DB
04/06/92	D.C.R.	40586	03-00	2000		180.00	0.00	1168.65 DB
04/17/92	J.V.	04825	26-00	2000	2-92 FC	0.00	180.00	988.65 DB
04/17/92	J.V.	04825	26-01	5000	2-92 FC	0.00	269.55	719.10 DB
04/29/92	D.C.R.	40803	01-00	8000	FROM SAVINGS	200.00	0.00	919.10 DB
04/30/92	J.V.	05015	03-02	2000	1-92 FC BAL	0.00	69.58	849.52 DB
04/30/92	J.V.	05015	03-03	2000	2-92 FC BAL	0.00	69.58	779.94 DB
05/04/92	D.C.R.	40832	04-00	5000		269.55	0.00	1049.49 DB
05/04/92	D.C.R.	40833	03-00	2000		180.00	0.00	1229.49 DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE	
05/22/92	J.V.	05439	19-00	2000	3-92 FC	0.00	180.00	1049.49	DB
05/22/92	J.V.	05439	19-01	5000	3-92 FC	0.00	269.55	779.94	DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE	
06/01/92	D.C.R.	00000			BAL FWD	779.94	0.00	779.94	DB
06/02/92	D.C.R.	41063	04-00	5000		269.55	0.00	1049.49	DB
06/04/92	D.C.R.	41087	02-00	2000		180.00	0.00	1229.49	DB
06/25/92	J.V.	06071	20-02	2000	4-92 FC	0.00	180.00	1049.49	DB
06/25/92	J.V.	06071	20-03	5000	4-92 FC	0.00	269.55	779.94	DB
07/02/92	D.C.R.	41303	04-00	5000		269.55	0.00	1049.49	DB
07/06/92	D.C.R.	41311	01-00	2000		180.00	0.00	1229.49	DB
07/13/92	D.C.R.	41364	01-00	5000		3807.34	0.00	5036.83	DB
07/27/92	J.V.	06705	21-03	2000	5-92 FC	0.00	180.00	4856.83	DB
07/27/92	J.V.	06705	21-04	5000	5-92 FC	0.00	269.55	4587.28	DB
08/04/92	D.C.R.	41544	04-00	5000		269.55	0.00	4856.83	DB
08/04/92	D.C.R.	41545	03-00	2000		180.00	0.00	5036.83	DB
08/25/92	J.V.	07339	19-03	2000	6-92 FC	0.00	180.00	4866.83	DB

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08/25/92	J.V.	07339	19-04	5000	6-92 FC	0.00	269.55	4587.28	DB
08/25/92	J.V.	07360	03-07	5000	3-92 FC BAL	0.00	69.58	4517.70	DB
08/25/92	J.V.	07360	03-08	5000	4-92 FC BAL	0.00	69.58	4448.12	DB
08/25/92	J.V.	07360	03-09	5000	5-92 FC BAL	0.00	69.58	4378.54	DB
08/25/92	J.V.	07360	03-10	5000	6-92 FC BAL	0.00	69.58	4308.96	DB
08/27/92	D.C.R.	41752	01-00	8000	FROM SAVINGS	290.57	0.00	4599.53	DB
09/02/92	D.C.R.	41796	01-00	5000		269.55	0.00	4869.08	DB
09/04/92	D.C.R.	41811	01-00	2000		180.00	0.00	5049.08	DB
09/25/92	J.V.	07887	19-03	2000	7-92 FC	0.00	180.00	4869.08	DB
09/25/92	J.V.	07887	19-04	5000	7-92 FC	0.00	269.55	4599.53	DB
09/30/92	J.V.	08105	02-00	5000	6/88-12/91 FC	0.00	3640.74	958.79	DB
10/02/92	D.C.R.	42031	01-00	5000		269.55	0.00	1228.34	DB
10/05/92	D.C.R.	42040	01-00	2000		180.00	0.00	1408.34	DB
10/22/92	J.V.	08406	19-05	2000	8-92 FC	0.00	180.00	1228.34	DB
10/22/92	J.V.	08406	19-06	5000	8-92 FC	0.00	269.55	958.79	DB
11/02/92	D.C.R.	42287	01-00	5000		269.55	0.00	1228.34	DB
11/04/92	D.C.R.	42311	01-00	2000		180.00	0.00	1408.34	DB
11/30/92	J.V.	09017	18-04	2000	9-92 FC	0.00	180.00	1228.34	DB
11/30/92	J.V.	09017	18-05	5000	9-92 FC	0.00	269.55	958.79	DB
12/02/92	D.C.R.	42520	01-00	5000		269.55	0.00	1228.34	DB
12/07/92	D.C.R.	42545	01-00	2000		180.00	0.00	1408.34	DB
12/22/92	J.V.	09406	01-03	2000	10-92 FC	0.00	180.00	1228.34	DB
12/22/92	J.V.	09406	01-04	5000	10-92 FC	0.00	269.55	958.79	DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE	
01/01/93	D.C.R.	00000			BAL FWD	958.79	0.00	958.79	DB
01/04/93	D.C.R.	42745	01-00	5000		276.55	0.00	1236.34	DB
01/04/93	D.C.R.	42746	01-00	2000		185.00	0.00	1420.34	DB
01/27/93	J.V.	09770	01-02	2000	11-92 FC	0.00	180.00	1240.34	DB
01/27/93	J.V.	09770	01-03	5000	11-92 FC	0.00	269.55	970.79	DB
02/02/93	D.C.R.	42978	01-00	5000		167.55	0.00	1138.34	DB
02/04/93	D.C.R.	43005	01-00	2000		294.00	0.00	1432.34	DB
02/23/93	J.V.	10212	03-07	5000	10-92 FC BAL	0.00	74.39	1357.95	DB
02/23/93	J.V.	10212	03-08	5000	11-92 FC BAL	0.00	85.15	1272.70	DB
02/23/93	J.V.	10212	03-09	5000	12-92 FC BAL	0.00	80.15	1192.65	DB

02/23/93	J.V.	10243	01-04	2000	12-92 FC	0.00	185.00	1007.65	DB
02/23/93	J.V.	10243	01-05	5000	12-92 FC	0.00	269.55	738.10	DB
03/02/93	D.C.R.	43218	01-00	5000		276.55	0.00	1014.65	DB
03/04/93	D.C.R.	43248	01-00	2000		185.00	0.00	1199.65	DB
03/16/93	J.V.	10586	01-06	2000	1-93 FC	0.00	294.00	905.65	DB
03/16/93	J.V.	10586	01-07	5000	1-93 FC	0.00	276.55	629.10	DB
04/02/93	D.C.R.	43492	01-00	5000		167.55	0.00	796.65	DB
04/05/93	D.C.R.	43502	01-00	2000		185.00	0.00	981.65	DB
04/26/93	J.V.	11234	01-07	2000	2-93 FC	0.00	185.00	796.65	DB
04/26/93	J.V.	11234	01-08	5000	2-93 FC	0.00	167.55	629.10	DB
05/03/93	D.C.R.	43765	01-00	5000		276.55	0.00	905.65	DB
05/04/93	D.C.R.	43777	01-00	2000		185.00	0.00	1090.65	DB
05/30/93	J.V.	11788	01-08	2000	3-93 FC	0.00	185.00	905.65	DB
05/30/93	J.V.	11788	01-09	5000	3-93 FC	0.00	276.55	629.10	DB
06/02/93	D.C.R.	44008	01-00	5000		276.55	0.00	905.65	DB
06/04/93	D.C.R.	44038	01-00	2000		185.00	0.00	1090.65	DB
06/28/93	J.V.	12098	01-08	2000	4-93 FC	0.00	185.00	905.65	DB
06/28/93	J.V.	12098	01-09	5000	4-93 FC	0.00	167.55	738.10	DB
07/02/93	D.C.R.	44264	01-00	5000		276.55	0.00	1014.65	DB
07/07/93	D.C.R.	44289	01-01	2000		185.00	0.00	1199.65	DB
07/26/93	J.V.	00072	01-07	2000	5-93 FC	0.00	185.00	1014.65	DB
07/26/93	J.V.	00072	01-08	5000	5-93 FC	0.00	276.55	738.10	DB
08/02/93	D.C.R.	44517	01-00	5000		276.55	0.00	1014.65	DB

08/04/93	D.C.R.	44543	01-00	2000		185.00	0.00	1199.65	DB
08/31/93	J.V.	00488	02-01	2000	6-93 FC	0.00	185.00	1014.65	DB
08/31/93	J.V.	00488	02-02	5000	6-93 FC	0.00	276.55	738.10	DB
09/02/93	D.C.R.	44785	01-00	5000		276.55	0.00	1014.65	DB
09/07/93	D.C.R.	44805	01-00	2000		185.00	0.00	1199.65	DB
09/30/93	J.V.	00787	02-01	2000	7-93 FC	0.00	185.00	1014.65	DB
09/30/93	J.V.	00787	02-02	5000	7-93 FC	0.00	276.55	738.10	DB
10/04/93	D.C.R.	45037	01-01	5000		276.55	0.00	1014.65	DB
10/06/93	D.C.R.	45042	01-01	2000		185.00	0.00	1199.65	DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
10/29/93	J.V.	01216	02-01	2000	8-93 FC	0.00	185.00	1014.65 DB
10/29/93	J.V.	01216	02-02	5000	8-93 FC	0.00	276.55	738.10 DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
11/01/93	D.C.R.	00000			BAL FWD	738.10	0.00	738.10 DB
11/03/93	D.C.R.	45307	01-01	5000		276.55	0.00	1014.65 DB
11/04/93	D.C.R.	45340	01-01	2000		185.00	0.00	1199.65 DB
11/30/93	J.V.	01445	02-03	2000	9-93 FC	0.00	185.00	1014.65 DB
11/30/93	J.V.	01445	02-04	5000	9-93 FC	0.00	276.55	738.10 DB
12/03/93	D.C.R.	45572	01-00	5000		276.55	0.00	1014.65 DB
12/06/93	D.C.R.	45595	01-00	2000		185.00	0.00	1199.65 DB
12/30/93	J.V.	01858	02-07	2000	10-93 FC	0.00	185.00	1014.65 DB
12/30/93	J.V.	01858	02-08	5000	10-93 FC	0.00	276.55	738.10 DB
01/04/94	D.C.R.	45799	02-00	5000		283.55	0.00	1021.65 DB
01/04/94	D.C.R.	45810	02-00	2000		190.00	0.00	1211.65 DB

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01/31/94	J.V.	02234	03-00	2000	11/93 FC	0.00	185.00	1026.65	DB
01/31/94	J.V.	02234	03-01	5000	11/93 FC	0.00	276.55	750.10	DB
02/02/94	D.C.R.	46070	02-00	5000		283.55	0.00	1033.65	DB
02/04/94	D.C.R.	46089	02-00	2000		190.00	0.00	1223.65	DB
02/08/94	D.C.R.	46116	01-00	2000		112.00	0.00	1335.65	DB
02/28/94	J.V.	02627	03-03	2000	12-93 FC	0.00	190.00	1145.65	DB
02/28/94	J.V.	02627	03-04	5000	12-93 FC	0.00	276.55	869.10	DB
03/02/94	D.C.R.	46312	02-00	5000		272.55	0.00	1141.65	DB
03/04/94	D.C.R.	46332	02-00	2000		302.00	0.00	1443.65	DB
03/31/94	J.V.	03057	03-03	2000	1-94 FC	0.00	190.00	1253.65	DB
03/31/94	J.V.	03057	03-04	5000	1-94 FC	0.00	283.55	970.10	DB
04/04/94	D.C.R.	46618	03-00	2000		302.00	0.00	1272.10	DB
04/05/94	D.C.R.	46633	02-00	5000		171.55	0.00	1443.65	DB
04/29/94	J.V.	03343	03-03	2000	2-94 FC	0.00	277.88	1165.77	DB
04/29/94	J.V.	03343	03-04	5000	2-94 FC	0.00	283.55	882.22	DB
05/02/94	D.C.R.	46898	02-00	5000		126.20	0.00	1008.42	DB
05/05/94	D.C.R.	46917	02-00	2000		302.00	0.00	1310.42	DB
05/31/94	J.V.	03750	02-00	2000	3/94 FC	0.00	277.88	1032.54	DB
05/31/94	J.V.	03750	02-01	5000	3/94 FC	0.00	283.55	748.99	DB
06/03/94	D.C.R.	47190	02-00	5000		126.20	0.00	875.19	DB
06/06/94	D.C.R.	47219	02-00	2000		302.00	0.00	1177.19	DB
06/28/94	J.V.	04037	03-00	2000	4/94 FC	0.00	302.00	875.19	DB
06/28/94	J.V.	04037	03-01	5000	4/94 FC	0.00	267.59	607.60	DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE	
07/01/94	D.C.R.	00000			BAL FWD	607.60	0.00	607.60	DB
07/06/94	D.C.R.	47458	02-00	5000		150.25	0.00	757.85	DB
07/06/94	D.C.R.	47463	02-00	2000		302.00	0.00	1059.85	DB
07/28/94	J.V.	04389	03-00	2000	MAY 1994	0.00	302.00	757.85	DB
07/28/94	J.V.	04389	03-01	5000	MAY 1994	0.00	126.20	631.65	DB
08/03/94	D.C.R.	47723	02-00	5000		171.55	0.00	803.20	DB
08/04/94	D.C.R.	47748	02-00	2000		302.00	0.00	1105.20	DB
08/26/94	J.V.	04904	03-00	2000	JUNE 94 FC	0.00	302.00	803.20	DB
08/26/94	J.V.	04904	03-01	5000	JUNE 94 FC	0.00	203.45	599.75	DB

09/02/94	D.C.R.	48053	02-00	5000		171.55	0.00	771.30	DB
09/06/94	D.C.R.	48064	02-00	2000		302.00	0.00	1073.30	DB
09/30/94	J.V.	05401	03-00	2000	JULY 94 FC	0.00	302.00	771.30	DB
09/30/94	J.V.	05401	03-01	5000	JULY 94 FC	0.00	150.25	621.05	DB
10/03/94	D.C.R.	48314	02-00	5000		171.55	0.00	792.60	DB
10/04/94	D.C.R.	48331	01-00	2000		302.00	0.00	1094.60	DB
10/25/94	J.V.	05740	03-00	2000	8\94 FC	0.00	302.00	792.60	DB
10/25/94	J.V.	05740	03-01	5000	8\94 FC	0.00	171.55	621.05	DB
11/03/94	D.C.R.	48630	02-00	5000		171.55	0.00	792.60	DB
11/07/94	D.C.R.	48642	02-00	2000		302.00	0.00	1094.60	DB
11/25/94	J.V.	06042	03-00	2000	9\94 FC	0.00	302.00	792.60	DB
11/25/94	J.V.	06042	03-01	5000	9\94 FC	0.00	171.55	621.05	DB
12/06/94	D.C.R.	48887	01-00	5000		171.55	0.00	792.60	DB
12/07/94	D.C.R.	48899	02-00	2000		302.00	0.00	1094.60	DB
12/30/94	J.V.	06484	03-00	2000	10\94 FC	0.00	302.00	792.60	DB
12/30/94	J.V.	06484	03-01	5000	10\94 FC	0.00	171.55	621.05	DB
01/04/95	D.C.R.	49147	01-00	5000		175.55	0.00	796.60	DB
01/06/95	D.C.R.	49185	01-00	2000		310.00	0.00	1106.60	DB
01/27/95	J.V.	06838	03-00	2000	NOV 94 FC	0.00	302.00	804.60	DB
01/27/95	J.V.	06838	03-01	5000	NOV 94 FC	0.00	171.55	633.05	DB
02/03/95	D.C.R.	49430	02-00	5000		183.55	0.00	816.60	DB
02/27/95	J.V.	07143	03-00	2000	DEC 94 FC	0.00	310.00	506.60	DB

02/27/95	J.V.	07143	03-01	5000	DEC 94 FC	0.00	171.55	335.05	DB
03/03/95	D.C.R.	49689	02-00	5000		175.55	0.00	510.60	DB
03/22/95	INVOICE	C7186	C7191	5000		0.00	1346.00	835.40	CR
03/30/95	J.V.	07534	03-00	2000	JAN 95 FC	0.00	310.00	1145.40	CR
03/30/95	J.V.	07534	03-01	5000	JAN 95 FC	0.00	175.75	1321.15	CR
04/05/95	D.C.R.	50007	02-00	5000		465.55	0.00	855.60	CR

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
05/01/95	D.C.R.	00000			BAL FWD	0.00	855.60	855.60 CR
05/03/95	D.C.R.	50260	01-01	5000		465.55	0.00	390.05 CR
05/31/95	J.V.	08258	01-00	2000	1\94 COR ERR	112.00	0.00	278.05 CR
05/31/95	J.V.	08258	01-01	2000	2\94 COR ERR	112.00	0.00	166.05 CR
05/31/95	J.V.	08258	01-02	2000	3\94 COR ERR	112.00	0.00	54.05 CR
05/31/95	J.V.	08258	01-03	2000	4\94 COR ERR	112.00	0.00	57.95 DB
05/31/95	J.V.	08258	01-04	2000	5\94 COR ERR	112.00	0.00	169.95 DB
05/31/95	J.V.	08258	01-05	2000	6\94 COR ERR	112.00	0.00	281.95 DB
05/31/95	J.V.	08258	01-06	2000	7\94 COR ERR	112.00	0.00	393.95 DB
05/31/95	J.V.	08258	01-07	2000	8\94 COR ERR	112.00	0.00	505.95 DB

05/31/95	J.V.	08258	01-08	2000	9\94 COR ERR	112.00	0.00	617.95 DB
05/31/95	J.V.	08258	01-09	2000	10\94 COR ERR	112.00	0.00	729.95 DB
05/31/95	J.V.	08258	01-10	2000	11\94 COR ERR	112.00	0.00	841.95 DB
05/31/95	J.V.	08258	01-11	2000	12\94 COR ERR	114.00	0.00	955.95 DB
05/31/95	J.V.	08258	01-12	2000	1\95 COR ERR	310.00	0.00	1265.95 DB
06/02/95	D.C.R.	50534	02-00	5000		465.55	0.00	1731.50 DB
07/03/95	D.C.R.	50797	02-00	5000		465.55	0.00	2197.05 DB
08/02/95	D.C.R.	51072	02-00	5000		465.55	0.00	2662.60 DB
08/10/95	INVOICE	C1770	C1774	5000		0.00	465.55	2197.05 DB
08/31/95	J.V.	00383	01-00	5000	COR ERR 6\94	24.05	0.00	2221.10 DB
09/05/95	D.C.R.	51357	01-01	5000		465.55	0.00	2686.65 DB
09/29/95	J.V.	00649	01-01	5000	02-95 FC	0.00	183.55	2503.10 DB
09/29/95	J.V.	00649	01-02	5000	03-95 FC	0.00	175.55	2327.55 DB
09/29/95	J.V.	00649	01-03	5000	04-95 FC	0.00	465.55	1862.00 DB
09/29/95	J.V.	00649	01-04	5000	05-95 FC	0.00	465.55	1396.45 DB
09/29/95	J.V.	00649	01-05	5000	06-95 FC	0.00	465.55	930.90 DB
10/03/95	D.C.R.	51612	01-01	5000		419.00	0.00	1349.90 DB
10/16/95	J.V.	00926	01-01	5000	08-95 FC	0.00	465.35	884.55 DB
10/23/95	D.C.R.	51797	01-01	5000		46.55	0.00	931.10 DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE	
11/01/95	D.C.R.	0000			BAL FWD	931.10	0.00	931.10	DB
11/02/95	D.C.R.	51906	01-01	5000		464.42	0.00	1395.52	DB
12/05/95	D.C.R.	52178	01-01	5000		464.42	0.00	1859.94	DB
12/29/95	J.V.	01692	01-01	5000	09-95 FC	0.00	486.00	1373.94	DB
12/29/95	J.V.	01692	01-02	5000	10-95 FC	0.00	486.00	887.94	DB
01/03/96	D.C.R.	52414	01-01	5000		476.86	0.00	1364.80	DB
01/17/96	J.V.	01918	01-01	5000	11-95 FC	0.00	464.42	900.38	DB
01/26/96	J.V.	02004	01-01	5000	09-95 C/E	20.45	0.00	920.83	DB
01/26/96	J.V.	02004	01-02	5000	10-95 C/E	20.45	0.00	941.28	DB
02/06/96	D.C.R.	52712	01-01	5000		476.86	0.00	1418.14	DB

02/20/96	J.V.	02280	01-01	5000	12-95 FC	0.00	464.42	953.72	DB
03/05/96	D.C.R.	52962	01-01	5000		476.86	0.00	1430.58	DB
03/26/96	J.V.	02714	01-01	5000	01-96 FC	0.00	476.86	953.72	DB
04/03/96	D.C.R.	53231	01-01	5000		476.86	0.00	1430.58	DB
04/15/96	J.V.	02993	01-01	5000	02-96 FC	0.00	476.86	953.72	DB
05/06/96	D.C.R.	53526	01-01	5000		476.86	0.00	1430.58	DB
05/15/96	J.V.	03357	01-01	5000	03-96 FC	0.00	476.86	953.72	DB
06/03/96	D.C.R.	53771	01-01	5000		476.86	0.00	1430.58	DB
06/14/96	J.V.	03674	01-01	5000	04-96 FC	0.00	476.86	953.72	DB
06/19/96	D.C.R.	53928	01-01	2000		2186.00	0.00	3139.72	DB

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DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PERSON ID: 269486
PIC:. FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
07/01/96	D.C.R.	00000			BAL FWD	3139.72	0.00	3139.72 DB
07/02/96	D.C.R.	54039	01-01	5000		295.86	0.00	3435.58 DB
07/05/96	D.C.R.	54074	01-01	2000		201.00	0.00	3636.58 DB
07/05/96	D.C.R.	54074	01-02	2000		201.00	0.00	3837.58 DB
07/12/96	J.V.	03951	01-01	5000	05-96 FC	0.00	476.86	3360.72 DB
07/23/96	INVOICE	C4701	C4701	5000		0.00	476.86	2883.86 DB
08/06/96	D.C.R.	54361	03-00	5000		295.86	0.00	3179.72 DB
08/07/96	D.C.R.	54374	03-00	2000		201.00	0.00	3380.72 DB
08/10/96	J.V.	04702	03-01	2000	7-95 FC	0.00	397.00	2983.72 DB
08/10/96	J.V.	04702	03-02	2000	8-95 FC	0.00	107.31	2876.41 DB
08/10/96	J.V.	04702	03-03	2000	9-95 FC	0.00	107.11	2769.30 DB
08/10/96	J.V.	04702	03-04	2000	10-95 FC	0.00	107.11	2662.19 DB
08/10/96	J.V.	04702	03-05	2000	11-95 FC	0.00	108.24	2553.95 DB
08/10/96	J.V.	04702	03-06	2000	12-95 FC	0.00	108.24	2445.71 DB
08/10/96	J.V.	04702	03-07	2000	1-96 FC	0.00	95.80	2349.91 DB
08/10/96	J.V.	04702	03-08	2000	2-96 FC	0.00	95.80	2254.11 DB
08/10/96	J.V.	04702	03-09	2000	3-96 FC	0.00	95.80	2158.31 DB
08/10/96	J.V.	04702	03-10	2000	4-96 FC	0.00	95.80	2062.51 DB
08/10/96	J.V.	04702	03-11	2000	5-96 FC	0.00	95.80	1966.71 DB
08/10/96	J.V.	04702	03-12	2000	6-96 FC	0.00	572.66	1394.05 DB
09/05/96	D.C.R.	54618	03-00	5000		295.86	0.00	1689.91 DB
09/06/96	D.C.R.	54634	02-00	2000		201.00	0.00	1890.91 DB
09/13/96	J.V.	04960	03-01	2000	7-96 FC	0.00	288.25	1602.66 DB
09/13/96	J.V.	04960	03-02	5000	7-96 FC	0.00	295.86	1306.80 DB
10/03/96	D.C.R.	54875	04-00	5000		295.86	0.00	1602.66 DB
10/07/96	D.C.R.	54903	04-00	2000		201.00	0.00	1803.66 DB
10/14/96	J.V.	05417	03-07	2000	8-96 FC	0.00	288.25	1515.41 DB
10/14/96	J.V.	05417	03-08	5000	8-96 FC	0.00	295.86	1219.55 DB
11/04/96	D.C.R.	2	01-00	5000	11/96	295.86	0.00	1515.41 DB
11/07/96	D.C.R.	5	01-00	2000	10/96	201.00	0.00	1716.41 DB

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT FOR THE CLIENT TRUST FUND TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A

DATE	DOCUMENT	NUMBER	TRANS	REV	DESCRIPTION	DEBIT	CREDIT	BALANCE
11/15/96	J.V.	05778	01-01	2000	9/96 FC	0.00	288.25	1428.16 DB
11/15/96	J.V.	05778	01-02	5000	9/96 FC	0.00	295.86	1132.30 DB
12/06/96	D.C.R.	20	01-00	5000	12/96	295.86	0.00	1428.16 DB
12/13/96	D.C.R.	24	01-00	5000	12/96	21.82	0.00	1449.98 DB
12/13/96	J.V.	06168	03-08	2000	10-96 FC	0.00	146.40	1303.58 DB
12/13/96	J.V.	06168	03-09	5000	10-96 FC	0.00	295.86	1007.72 DB
01/06/97	D.C.R.	35	01-00	5000	01/97	304.75	0.00	1312.47 DB
01/15/97	J.V.	06464	01-01	2000	11/96 FC	0.00	146.40	1166.07 DB
01/15/97	J.V.	06464	01-02	5000	11/96 FC	0.00	295.86	870.21 DB

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02/05/97	D.C.R.	55	01-00	5000	02/97	305.55	0.00	1175.76 DB
02/10/97	J.V.	06822	04-01	2000	12-96 FC	0.00	124.58	1051.18 DB
02/10/97	J.V.	06822	04-02	5000	12-96 FC	0.00	317.68	733.50 DB
02/24/97	INVOICE	97055	G8598	5000		0.00	304.75	428.57 DB
02/24/97	INVOICE	97055	G8599	2000		0.00	123.20	305.55 DB
03/27/97	INVOICE	97086	G0291	5000		0.00	305.55	0.00 CR

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REPORT DATE: 10/28/91
PURGE DATE: 08/01/91
PAGE: 1

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT CLIENT MONEY MARKET TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A ACCOUNT D

DATE	TRANSACTION	DESCRIPTION	DEBIT	CREDIT	BALANCE
		BALANCE FORWARD			449.27 DB
11/30/90	INTEREST		2.44	0.00	451.71 DB
12/31/90	INTEREST		2.45	0.00	454.16 DB
01/31/91	INTEREST		2.24	0.00	456.40 DB
02/28/91	INTEREST		1.93	0.00	458.33 DB
03/31/91	INTEREST		2.14	0.00	460.47 DB
04/30/91	INTEREST		2.06	0.00	462.53 DB
05/31/91	INTEREST		2.15	0.00	464.68 DB
06/30/91	INTEREST		2.08	0.00	466.76 DB
07/31/91	INTEREST		2.16	0.00	468.92 DB

REPORT DATE: 08/13/92
PURGE DATE: 06/01/92
PAGE: 1

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT CLIENT MONEY MARKET TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A ACCOUNT D

DATE	TRANSACTION	DESCRIPTION	DEBIT	CREDIT	BALANCE
		BALANCE FORWARD			468.92 DB
08/31/91	INTEREST		2.16	0.00	471.08 DB
09/30/91	INTEREST		2.11	0.00	473.19 DB
10/31/91	INTEREST		2.19	0.00	475.38 DB
11/30/91	INTEREST		2.08	0.00	477.46 DB
12/31/91	INTEREST		2.11	0.00	479.57 DB
01/31/92	INTEREST		1.99	0.00	481.56 DB
02/29/92	INTEREST		1.68	0.00	483.24 DB
03/31/92	INTEREST		1.75	0.00	484.99 DB
04/24/92	WITHDRAWAL	WITHDRAWAL	0.00	200.00	284.99 DB
04/30/92	INTEREST		1.58	0.00	286.57 DB
05/31/92	INTEREST		1.04	0.00	287.61 DB

DEPARTMENT OF SOCIAL AND HEALTH SERVICES
OFFICE OF ACCOUNTING SERVICES
TRUST FUND SECTION
PURGE REPORT CLIENT MONEY MARKET TRANSACTIONS

CLIENT: FILBECK, JENNIFER L
PIC: FILBELJL011677A ACCOUNT D

DATE	TRANSACTION	DESCRIPTION	DEBIT	CREDIT	BALANCE
		BALANCE FORWARD			287.61 DB
06/30/92	INTEREST		1.04	0.00	288.65 DB
07/31/92	INTEREST		1.08	0.00	289.73 DB
08/24/92	INTEREST	CLOSING INT	0.84	0.00	290.57 DB
08/25/92	WITHDRAWAL	CLOSE ACCOUNT	0.00	290.57	0.00
08/31/92	INTEREST		0.00	0.00	0.00

A-19 State of Washington
INVOICE VOUCHER

Agency No.	Location Code

AGENCY NAME

Trust Fund Unit

CLAIMANT

SOCIAL SECURITY ADMINISTRATION,
FOR CLAIM 3 536-78-1326
PO BOX 19001
OLYMPIA, WA 98507

Date	Description	Amount	Agency Use
	To transfer funds from the trust fund account of Jennifer L. Filbeck, 1-16-77, due to overpayment from Social Security.	$342.55	SSI

Prepared By	Tele. #	Date	Agency Approval	Date
Dos. Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
6/12/96			VOD1		

Trans Code	Program Index	Source	Amount	Invoice

Account Approval For Payment	Date	Warrant Total	Warrant Number

DEPARTMENT OF HEALTH AND HUMAS SERVICES
Social Security Administration

Refer to: 536-78-1326
P.O. Box 19001
Olympia, WA 98507

NOTICE OF OVERPAYMENT
February 8, 1989

Phone: (206) 753-9419

Secy, DSHS For
Jennifer L Filbeck
P O Box 9501
Olympia, WA 98504

Dear Secy, DSHS:

We are writing to let you know that we've paid you $342.55 too much Supplemental Security Income (SSI) money. The overpayment happened: from January, 1989 through February, 1989 because of your countable income.

You must pay us back unless we're wrong about the overpayment or we decide you shouldn't have to pay us back. This letter tells you what you can do if you think we're wrong about the overpayment or if you think you shouldn't have to pay us back. The last page of this letter has a detailed explanation of your overpayment.

IF WE DON'T HEAR FROM YOU IN THE NEXT 30 DAYS

We plan to collect this overpayment from your SSI checks. We will hold back $37.55 beginning May, 1989. from your SSI checks until your overpayment

is paid. If you ask for waiver or appeal in the next 30 days, we won't change your check until we decide your case.

IF YOU THINK YOU SHOULDN'T HAVE TO PAY US BACK

You may not have to pay us back. Sometimes we can waive an overpayment, which means you won't have to pay us back. We can do this if both of the following are true.

* It wasn't your fault that you got too much SSI money.

AND

* Paying us back would mean you can't pay your bills for food, clothing, housing, or medical care, or it would be unfair for some other reason.

If you think these are true about you, contact any Social Security Office. You can ask for waiver any time. We won't collect the overpayment while we decide if we can waive it.

If you call or come into the office, please have this notice available and ask for Mrs. Herbison.

Sincerely yours,
/s/
Alice Thursten
District Manager

Enclosure(s):
REFUND ENVELOPE

DO YOU THINK WE'RE WRONG?

If you think we're wrong, you have the right to appeal. We'll correct mistakes. We'll look at any new facts you have.

* You have 60 days to ask for an appeal. If you ask in the next 30 days, we won't change your check until we decide your appeal.

* Both the 30 day and 60 day periods start the day after you get this letter.

* To appeal, you must fill out a form called "request for Reconsideration." The for number is SSA-561. To get this form, contact one of our offices. We can help you fill out the form.

HOW TO APPEAL

There are three ways to appeal. You can pick the one you want. If you meet with us in person, it may help us decide your case.

* Case Review. You have the right to review the facts in your file. You can give us more facts to add to your file. Then we'll decide your case again. You won't meet with the person who decides your case.

* Informal Conference. You'll meet with the person who decides our case. You can tell that person why you think you're right. You can give us more

facts to help prove you're right. You can bring other people to help explain your case.

* Formal Conference. This is a meeting like an informal conference. The difference is we can make people come to help prove you're right. We can make them bring important papers about your case, even if they don't want to help you. You can questions these people at your meeting.

IF YOU WANT HELP WITH YOUR APPEAL

You may want help from a friend, lawyer, or someone else. There are groups that can find you a lawyer. Some can give you a free lawyer. We can give you the names of these groups.

HOW TO PAY US BACK

There are two ways you can pay us back.

* As we said earlier, we plan to hold back $37.55 beginning May, 1989. from your SSI check until you've paid us back. This is 10 percent of your income or the amount of your check if it is less. This is the most we can hold back without your consent. Contact us if you want a different amount held back.

* Another way to pay us back is to send us a check or money order for the full amount of your overpayment. Paying us this way is voluntary. Make your check out to the Social Security Administration. Be sure to put your Social

Security number on the check. If you get SSI for someone else, be sure to put that person's Social Security number on the check. Please us the enclosed envelope to mail your check or money order to us. Also, be sure to enclose the payment stub with your check or money order.

IF YOU HAVE ANY QUESTIONS

If you have any questions, you should call, write, or visit any Social Security office. If you visit an office, please bring this letter. It will help us answer your questions.

A DETAILED EXPLANATION OF YOUR OVERPAYMENT

Months:	Amounts Paid:	Amounts Due:
January, 1989	$290.55	0
February, 1989	290.55	238.55

NOTE: A REPRESENTATIVE PAYEE MAY BE HELD PERSONALLY LIABLE FOR REPAYMENT OF AN OVERPAYMENT UNLESS (1) THE PAYMENTS WERE USED FOR THE BENEFIT OF THE PERSON FOR WHOM THEY WERE RECEIVEING PAYMENT, AND (2) THE REPRESENTATIVE PAYEE IS WITHOUT FAULT IN CONNECTION WITH THE OVERPAYMENT. IF YOU BELIEVE THAT YOU, AS A REPRESENTATIVE PAYEE, ARE NOT LIABLE FOR REPAYMENT, PLEASE CONTACT US.

A-19 State of Washington Revenue Refund	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA - 98507-9501
CLAIMANT
SOCIAL SECURITY ADMINISTRATION, FOR CLAIM #535-58-8055 3700 MARTIN WAY, SUITE 108 OLYMPIA, WA 98506

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OF JENNIFER L. FILBECK, 1-16-77, DUE TO OVERPAYMENT FOR THE MONTHS OF 1/94-12/94.	$1,346.00	(SSA)

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Karen Kegley			//s//	3/20/95

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
3/17/95				VOD1		

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$1,346.00	FILBECK

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$1,346.00	

Social Security Administration
Retirement, Survivors, and Disability Insurance
Notice of Overpayment

Office of Disability and
International Operations
1500 Woodlawn Drive
Baltimore, Maryland 21241
Date: January 15, 1995
Claim Number: 535-58-8055 HC1

Secretary
DSHS
For Jennifer (FILBECK) *handwritten*
Box 9501
Olympia WA 98504

We have determined that you received $1,346.00 more in Social Security benefits than you were due.

We have determined that Amy Hunter should have remained entitled to benefits on this account January 1994 on. As a result, Jennifer's benefits should have been $190.00 for January 1994 through November 1994 and $196.00 for December 1994. She received $302.00 for January 1994 through November 1994 and $310.00 for December 1994, she was overpaid $1,346.00.

How To Pay Us Back

You should refund this overpayment within 30 days. Please make your check or money order payable to "Social Security Administration" and send it to us in

the enclosed envelope. Always include your claim number (as shown

SEE NEXT PAGE
535-58-8055 HC1

above) on the check or money order. If you cannot refund the full $1,346.00 now, you should submit: (a) a partial payment; (b) an explanation of your financial circumstances; and (c) a definite plan for repaying the balance.

If You Thing You Should Not Have To Pay Us Back

You may not have to pay us back. Sometimes we can waive the collection of an overpayment, which means you will not have to pay us back. For us to waive the collection of your overpayment, two things must be true.

- If was not your fault that you got too much Social Security money.

AND

- Paying us back would mean you cannot pay your bills for food, clothing, housing, medical care, or other necessary expenses, or it would be unfair for some other reason.

If you think these are true about you, contact any Social Security office. You can ask for waiver at any time by filling out the waiver form. The form

number is SSA-632-BK. We will not collect the overpayment while we decide if we can waive collection.

You may need to show us proof of your monthly income, expenses, and assets. Examples are pay stubs, pension records, rent receipts, utility bills and bank statements.

SEE NEXT PAGE
535-58-8055 HC1

Do You Disagree With The Decision?

If you disagree with the decision, you have the right to appeal. A person who did not make the first decision will decide your case. We will review your case again and consider any new facts you have.

- You have 60 days to ask for an appeal. If you ask in the next 30 days, you will not have to pay us back until we decide your case.

- Both the 30- and 60-day periods start the day after you receive this letter. We assume you got this letter 5 days after the date on it, unless you show us that you did not get it within the 5-day period.

- You must have a good reason if you wait more than 60 days to ask for an appeal.

- You have to ask for an appeal in writing. We will ask you to sign a form called, "Request For Reconsideration." The form number is SSA-561-U2. To get this form, contact one of our offices. We can help you fill out the form.

We are enclosing a pamphlet called "Important Information About Your Appeal and Waiver Rights." Please be sure to read it.

Even if you do not want to request reconsideration or waiver, call us at 1-800-772-1213 if you have any questions.

SEE NEXT PAGE
535-58-8055 HC1

If You Want Help With Your Appeal

You can have a friend, lawyer or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. Your local Social Security office has a list of groups that can help you with your appeal.

If you get someone to help you, you should let us know. If you hire somone, we must approve the fee before he or she can collect it. And if you hire a lawyer, we will withhold up to 25 percent of any past due benefits to pay toward the fee.

If You Have Any Questions

If you have any questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security

office at 1-206-534-9318. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves your area is located at:

SSA DISTRICT OFFICE
SUITE 108
MARTIN WAY EAST
OLYMPIA, WA 98506-0000

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you many call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

SEE NEXT PAGE
535-58-8055 HC1

/s/
Joseph R. Muffolett
Director

Enslosure(s):
Refune-envelope-5
Form SSA-3105

A-19	State of Washington Revenue Refund

Agency No.	Location Code
3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
SOCIAL SECURITY, CLAIM # 536-78-1326 3700 MARTIN WAY, SUITE 108 OLYMPIA, WA 98506

Date	Description	Amount	Agency Use
	TO TRANSFER THE 7/95 SSIPAYMENT FROM THE TRUST FUND ACCOUNT OF JENNIFER L. FILBECK, 1-16-77.	$465.55	SSI

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Karen Kegley			//s//	8/8/95

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
8/7/95				VOD1		

Trans Co..:	Program Index	Source	Amount	Invoice
198	A0000	410000	$465.55	FILBECK

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$465.55	

Social Security Administration
Supplemental Security Income
Notice of Overpayment

Date: July 18, 1995
Claim Number: 536-78-1326 DC

918
SECY DSHS FOR
JENNIFER L FILBECK
PO BOX 9501
OLYMPIA WA 98507-9501

We are writing to let you know that we have paid JENNIFER L. FILBECK $465.55 too much Supplemental Security Income(SSI) money. The overpayment happened in July 1995. She was overpaid because of her Social Security benefits. – (appears client rec'd her own SSA payment.) *handwritten*

Later in this letter, we'll give you a detailed explanation of her overpayment.

She must pay us back unless we decide she shouldn't have to pay us back or we're wrong about the overpayment. If you think she shouldn't have to pay us back or you disagree with the decision about the overpayment, you can:

- Ask for a waiver,
- Ask for an appeal, or

- Do both.

SSA-L8170
536-78-1326
07/18/95 Page 2

This letter will tell you more about these things you can do.

If We Don't Hear From You In The Next 30 Days

We plan to collect this overpayment from her SSI checks. We'll hold back $46.55 each month starting with October 1995 until she has paid us back. If you ask for waiver or appeal in the next 30 days, we won't change her check until we decide her case.

If You Think JENNIFER L. FILBECK Shouldn't Have To Pay Us Back

She may not have to pay us back. Sometimes we can waive an overpayment, which means she won't have to pay us back. We can do this if <u>both</u> of the following are true.

- It wasn't her fault that she got too much SSI money.

AND

- Paying us back would mean she can't pay her bills for food, clothing, housing or medical care, or it would be unfair for some other reason.

If you think these are true about her, contact any Social Security office. You can ask for a waiver any time by asking your Social Security office to fill out the waiver form. The waiver form number is SSA-632. We won't collect the overpayment while we decide if we can waive it.

SSA-L8170
536-78-1326
07/18/95 Page 3

Special Message For Representative Payees

If the overpayment is not repaid by JENNIFER L. FILBECK or from her funds, we will ask you to repay it from your own money. If she begins to repay us, but stops before the overpayment is repaid, we will ask you for any amount remaining. But we won't ask you to repay us if both of the following are true.

- You used the SSI check(s) for her needs.

AND

- It was not your fault that she was overpaid.

Please let us know as soon as possible if you think both of these facts are true.

In addition, we won't ask you to repay us from your own money for any month(s) of overpayment in which you were not the representative payee. If you were not the payee for any of the overpayment

months, please tell us. If there was a payee before you, and you have that person's name and address, please give it to us. You can contact any Social Security office.

Do you Disagree with The Decision?

If you disagree with the decision, you have the right to appeal. We will review your case and consider any new facts you have.

SSA-L8170
536-78-1326
07/18/95 Page 4

- You have 60 days to ask for an appeal. **If you ask in the next 30 days, we won't change her check until we decide her case.**

- Both the 30 day and 60 day periods start the day after you get this letter. We assume you got this letter 5 days after the date on it unless you show us that you did not get it within the 5-day period.

- You must have a good reason for waiting more than 60 days to ask for an appeal.

- To appeal, you must fill out a form called "Request for Reconsideration." The form number is SSA-561. To get this form, contact one of our offices. We can help you fill out the form.

How to Appeal

There are three ways to appeal. **You can pick the one you want. If you meet with us in person, it may help us decide her case.**

- **Case Review.** You have a right to review the facts in her file. You can give us more facts to add to her file. Then we'll decide her case again. You won't meet with the person who decides her case.

- **Informal Conference.** You'll meet with the person who decides her case. You can tell that person why you think you're right. You can give us more facts to help prove you're right. You can bring other people to help explain her case.

- **Formal Conference.** This is a meeting like an informal conference. The difference is we can make people come to help prove you're right. We can make them bring important papers about her case, even if they don't want to help you. You can question these people at your meeting.

If You Want Help With Your Appeal

You can have a friend, lawyer or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. Your local Social Security office has a list of groups that can help you with your appeal

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it.

How To Pay Us Back

There are two ways you can pay us back.

- As we said earlier, we plan to hold back money from her SSI check. We'll hold back $46.55 each month starting with October 1995 until she has paid us back. This is not more than 10 percent of her total income. Ten percent is the most we can hold back without your consent. Contact us if you want a different amount held back.

- Another way to pay us back is to send us a check or money order for the full amount of her overpayment of $465.55. Paying us this way is **voluntary**. Make your check or money order out to the Social Security Administration. Be sure to put her Social Security number on it. Please use the enclosed envelope to mail the check or money order to us. Also, be sure to enclose the payment stub with your check or money order.

A Detailed Explanation Of Her Overpayment

Overpayment Summary

She was overpaid $465.55. The following table shows how her payment changed each month. The first column lists the month(s) we paid her incorrectly. The next column shows the amount we paid her for each month. The last column, "Correct Amount for Each Month," shows the amount we should have paid her for each month.

The SSI we paid her included some payments we made for her State. We show her total SSI below, and then the part of

this money that is from her State.

Month	Amount We Paid Each Month	Correct Amount for Each Month
July 1995	$465.55($7.55 from Washington)	$.00

Why She Was Overpaid

For the month(s) listed below, her income on our records was wrong. Because we didn't know about all her income, we paid her too much SSI.

Under "Type of Income," we list only the income which we corrected on our records. Under the column called "Amount We Used," we show the amount we used earlier to figure her payment. Under the column called "Correct Amount," we show the amount we should have used to figure her payment. Please check that column against her records. If the amount is wrong, the amount of the overpayment is wrong.

Month	Amount We Used	Correct Amount	Type of Income
July 1995	$.00	$1,176.00	Her Social Security benefits

PAYMENT STUB

- Please cut along the dotted line. Return the bottom portion of the stub with your payment.
- Please use the enclosed envelope to mail your payment to us.
- Be sure to tell us if you've changed your address.
- Do not send cash or stamps.

Please Cut Along The Dotted Line

- - - -

Social Security Administration
Supplemental Security Income
Notice of Overpayment

Date: July 04, 1996
Claim Number: 536-78-1326 DC

918
SECY DSHS FOR
JENNIFER L FILBECK
PO BOX 9501
OLYMPIA, WA 98507-9501

We are writing to let you know that we have paid JENNIFER L. FILBECK $476.86 too much Supplemental Security Income (SSI) money. The overpayment happened in June 1996. She was overpaid because of her Social Security benefits.

Later in this letter, we'll give you a detailed explanation of her overpayment.

She must pay us back unless we decide she shouldn't have to pay us back or we're wrong about the overpayment. If you think she shouldn't have to pay us back or you disagree with the decision about the overpayment, you can:

- Ask for a waiver,
- Ask for an appeal, or
- Do both.

This letter will tell you more about these things you can do.

If We Don't Hear From You In The Next 30 Days

We plan to collect this overpayment from her SSI checks. We'll hold back $47.68 each month starting with October 1996 until she has paid us back. If you ask for waiver or appeal in the next 30 days, we won't change her check until we decide her case.

SSA-L8170
536-78-1326
07/04/96

If You Think JENNIFER L. FILBECK Shouldn't Have To Pay Us Back

She may not have to pay us back. Sometimes we can waive an overpayment, which means she won't have to pay us back. We can do this if <u>both</u> of the following are true.

- It wasn't her fault that she got too much SSI money.

<u>AND</u>

- Paying us back would mean she can't pay her bills for food, clothing, housing or medical care, or it would be unfair for some other reason.

If you think these are true about her, contact any Social Security office. You can ask for a waiver any time by asking your Social Security office to fill out the waiver form. The waiver form number is SSA-

632. We won't collect the overpayment while we decide if we can receive it.

Special Message For Representative Payees

If the overpayment is not repaid by JENNIFER L. FILBECK or from her funds, we will ask you to repay it from your own money. If she begins to repay us, but stops before the overpayment is repaid, we will ask you for any amount remaining. But we won't ask you to repay us if both of the following are true.

- You used the SSI check(s) for her needs.

AND

- It was not your fault that she was overpaid.

Please let us know as soon as possible if you think both of these facts are true.

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In addition, we won't ask you to repay us from your own money for any month(s) of overpayment in which you were not the representative payee. If you were not the payee for any of the overpayment months, please tell us. If you were not the payee for any of the overpayment months, please tell us. If there was a payee before you, and you have that

person's name and address, please give it to us. You can contact any Social Security office.

Do You Disagree With The Decision?

If you disagree with the decision, you have the right to appeal. We will review your case and consider any new facts you have.

- You have 60 days to ask for an appeal. **If you ask in the next 30 days, we won't change her check until we decide her case.**

- Both the 30 day and 60 day periods start the day after you get this letter. We assume you got this letter 5 days after the date on it unless you show us that you did not get it within the 5-day period.

- You must have a good reason for waiting more than 60 days to ask for an appeal.

- To appeal, you must fill out a form called "Request for Reconsideration." The form number is SSA-561. To get this form, contact one of our offices. We can help you fill out the form.

How To Appeal

There are three ways to appeal. **You can pick the one you want. If you meet with us in person, it may help us decide her case.**

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- **Case Review.** You have a right to review the facts in her file. You can give us more facts to add to her file. Then we'll decide her case again. You won't meet with the person who decides her case.
- **Informal Conference.** You'll meet with the person who decides her case. You can tell that person why you think you're right. You can give us more facts to help prove you're right. You can bring other people to help explain her case.
- **Formal Conference.** This is a meeting like an informal conference. The difference is we can make people come to help prove you're right. We can make them bring important papers about her case, even if they don't want to help you. You can question these people at your meeting.

If You Want Help With Your Appeal

You can have a friend, lawyer, or someone else help you. There are groups that can help you find a lawyer or give you free legal services if you qualify. There are also lawyers who do not charge unless you win your appeal. Your local Social Security office has a list of groups that can help you with your appeal.

If you get someone to help you, you should let us know. If you hire someone, we must approve the fee before he or she can collect it.

How To Pay Us Back

There are two ways you can pay us back.

- As we said earlier, we plan to hold back money from her SSI check. We'll hold back $47.68 each month starting with October 1996 until she has paid us back. This is not more than 10 percent of her total income. Ten percent is

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- the most we can hold back without your consent. Contact us if you want a different amount held back.

- Another way to pay us back is to send us a check or money order for the full amount of her overpayment of $476.86. Paying us this way is **voluntary**. Make your check or money order out to the Social Security Administration. Be sure to put her Social Security number on it. Please use the enclosed envelope to mail the check or money order to us. Also, be sure to enclose the payment stub with your check or money order.

For Your Information

This information is also being sent to JENNIFER L. FILBECK.

If You Have Any Questions

If you have any questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-360-753-9095. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves your area is located at:

DISTRICT OFFICE
SUITE 108
3700 MARTIN WAY EAST
OLYMPIA WA
98506

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly when you arrive at the office.

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07/04/96

//s//
Janice L. Warden
Deputy Commissioner
For Operations

Enclosures:
A Detailed Explanation of Her Overpayment
Payment Stub
Refund Envelope

A Detailed Explanation Of Her Overpayment

Overpayment Summary

She was overpaid $476.86. The following table shows how her payment changed each month. The first column lists the month(s) we paid her incorrectly. The next column shows the amount we paid her for each month. The last column, "Correct Amount for Each Month," shows the amount we should have paid her for each month.

The SSI we paid her included some payments we made for her State. We show her total SSI below, and then the part of this money that is from her State.

Month	Amount We Paid Each Month	Correct Amount for Each Month
June 1996	$476.86 ($6.86 from Washington)	$.00

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Why She Was Overpaid

For the month(s) listed below, her income on our records was wrong. Because we didn't know about all her income, we paid her too much SSI.

Under "Type of Income," we list only the income which we corrected on our records. Under the

column called "Amount We Used," we show the amount we used earlier to figure her payment. Under the column called "Correct Amount," we show the amount we should have used to figure her payment. Please check that column against her records. If the amount is wrong, the amount of her overpayment is wrong.

Month	Amount We Used	Correct Amount	Type of Income
June 1996	$.00	$2,186.00	Her Social Security Benefits

PAYMENT STUB

- Please cut along the dotted line. Return the bottom portion of the stub with your payment.
- Please use the enclosed envelope to mail your payment to us.
- Be sure to tell us if you've changed your address.
- Do not send cash or stamps.

Please Cut Along The Dotted Line

536781326000003291989 7 000047686 000000000

000047686 5052

JENNIFER L. FILBECK
Amount Due: $476.86

* Make your check or money order payable to:

SSA-L8170

Please show any change of address below.

Social Security Administration

* Print this on your check or money order:

_____

_____ 536-78-1326 DC

SSA-L8170

A-19 State of Washington Revenue Refund	Agency No.	Location Code
	3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
JENNIFER STEVENS 1025 GLENWOOD WENATCHEE, WA 98801

Date	Description	Amount	Agency Use
	TO TRANSFER FUNDS FROM THE TRUST FUND ACCOUNT OFJENNIFER L. STEVENS (FILBECK), 011677.	$123.20	SSA

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Todd Wollen			//s// KAREN KEGLEY-JUSTINEN	2/20/97

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
2/18/97		TRU		VOD1		

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$123.20	FILBECK

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$123.20	

Social Security Administration
SUPPLEMENTAL SECURITY INCOME
Important Information

Date: January 28, 1997
Claim: 536-78-1326 DC

924
SECY DSHS FOR
JENNIFER L STEVENS
BOX 9501
OLYMPIA WA 98507-9501

We are writing to tell you about changes in JENNIFER L. STEVENS' (Filbeck) Supplemental Security Income payments. The rest of this letter will tell you more about this change.

Our Decision About How We'll Pay JENNIFER L. STEVENS

After considering all the information available, we have decided that Supplemental Security Income payments for JENNIFER L. STEVENS will be paid directly to her.

If You Have Any Questions

If you have any questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-509-662-1376. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves your area is located at:

SSA-L8165

DISTRICT OFFICE
ROOM G30
301 YAKIMA STREET
WENATCHEE WA 98801

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead to make an appointment. This will help us serve you more quickly.

//s//
Janice L. Warden
Deputy Commissioner
for Operations

A-19	State of Washington Revenue Refund

Agency No.	Location Code
3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
SOC SEC ADMIN, #536-78-1326 3700 MARTIN WAY, SUITE 108 OLYMPIA, WA 98506-5068

Date	Description	Amount	Agency Use
	TO RETURN THE 1/97 SSI PAYMENT FROM THE TRUST FUND ACCOUNT OF JENNIFER L. STEVENS (FILBECK), 011677.	$304.75	SSI

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Todd Wollen			//s// KAREN KEGLEY-JUSTINEN	2/20/97

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
2/18/97		TRU		VOD1		

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$304.75	FILBECK

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$304.75	

Social Security Administration
Retirement, Survivors and Disability Insurance
Important Information

Office of Disability and
International Operations
1500 Woodlawn Drive
Baltimore, Maryland 21241-0001
Claim Number: 535-58-8055HC1

DSHS FOR JENNIFER L.
STEVENS
PO BX 9501
OLYMPIA WA 98507-9501

We have decided that it would be best for JENNIFER L STEVENS to have his checks sent to another payee.

If You Saved Any Money

While you were JENNIFER L STEVENS' payee, you may have saved some money for him. If you have, you should return it to us unless you have already made other plans with us for handling it. The money you will need to return includes:

- Saved and invested benefits.
- Interest earned from these savings and investments.
- Money you have left over from any check we sent you.

- Any checks you might receive after the date of this letter.

535-58-8055HC1

How to Pay Us Back

To do this, you can write us a check or money order. Make it out to the Social Security Administration. Be sure to write "Conserved Funds for JENNIFER L STEVENS, 535-58-8055HC1" on that check or money order. Please mail it in the enclosed green envelope.

Enclosure(s):
Refund Envelope PC 5

If You Have Any Questions

If you have any questions, you may call us toll-free at 1-800-772-1213, or call your local Social Security office at 1-360-753-9095. We can answer most questions over the phone. You can also write or visit any Social Security office. The office that serves your area is located at:

DISTRICT OFFICE
SUITE 108
3700 MARTIN WAY EAST
OLYMPIA, WA 98506

If you do call or visit an office, please have this letter with you. It will help us answer your questions. Also, if you plan to visit an office, you may call ahead

to make an appointment. This will help us serve you more quickly when you arrive at the office.

//s//
W. Burnell Hurt
Director

A-19	State of Washington Revenue Refund

Agency No.	Location Code
3000	

AGENCY NAME
Department of Social & Health Services OAS/Trust Fund Unit PO Box 9501 Olympia, WA 98507-9501
CLAIMANT
SOC SEC ADMIN., 536-78-1326 402 YAUGER WAY SW OLYMPIA, WA 98502

Date	Description	Amount	Agency Use
	TO RETURN FUNDS FROM THE TRUST FUND ACCOUNT OF JENNIFER L. STEVENS (FILBECK), 011677. 2/97 - $305.55	$305.55	SSI

Prepared By	Tele. #	Date	Agency Approval	Date
//s// Todd Wollen			//s// KAREN KEGLEY-JUSTINEN	3/25/97

Dos. Date	Print Run Date	Current Doc. No.	Reference Doc. No.	Vendor Number	Vendor Message	UBI Number
3/21/97		TRU		VOD1	FILBECK	

Trans Code	Program Index	Source	Amount	Invoice
198	A0000	410000	$305.55	TRUSTEE

Account Approval For Payment	Date	Warrant Total	Warrant Number
		$305.55	